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 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
 (NOAA)

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

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PUBLIC MEETING

+ + + + +

THURSDAY
 SEPTEMBER 7, 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

JASON ADRIANCE, Louisiana Department of
 Natural Resources
 KESLEY BANKS
 CHARLIE BERGMANN*
 PETER CHAIBONGSAI, The Billfish Foundation
 DANIEL COFFEY, Harte Research Institute for
 Gulf of Mexico Studies
 MATT DAVIS, Maine Department of Marine Resource
 JOHN DEPERSENAIRE, Viking Yacht Company
 MARCUS DRYMON, Mississippi-Alabama Sea Grant
 - State Representative for Alabama
 AMY DUKES, South Carolina Department of Natural
 Resources

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RAIMUNDO ESPINOZA, Conservacion ConCiencia Inc.
YAMITZA RODRIGUEZ FERRER, Puerto Rico DNER,
Recreational and Sport Fisheries Division*
SONJA FORDHAM, Shark Advocates International
STEVEN GETTO, American Bluefin Tuna
Association
WILLY GOLDSMITH, American Saltwater Guides
Association
WALT GOLET, University of Maine School
of Marine Sciences, Gulf of Maine Research
Institute*
TIM GRINER, South Atlantic Fishery Management
Council*
MARTHA GUYAS, ASA Fishing
EVAN HIPSLEY, JR.*
JAMES HULL, Hull Seafood
BOB HUMPHREY, Sport-Ventures Charters and
Casco Bay Bluefin Bonanza
MATT HUTH, Fresh Catch Seafood
ERIC JACOBSEN*
CHRISTINE KITTLE, Florida Fish and Wildlife
Department
JEFF KNEEBONE, New England Aquarium
JACKSON MARTINEZ, Environmental Defense Fund
CHAD MCINTYRE*
AL "ALLY" MERCIER
ROBERT "FLY" NAVARRO, Fly Zone Fishing
TIM PICKETT, Lindgren-Pitman, Inc.
MICHAEL PIERDINOCK, Stellwagen Bank Charter Boat
Association
BRUCE POHLOT, IGFA*
STEVE POLAND, North Carolina Division of
Marine Fisheries*
GEORGE PURMONT*
MARK SAMPSON, Ocean City Charterboat
Captains Association*
MARTIN T. SCANLON, F/V Provider II
DAVID SCHALIT, American Cluefin Tuna Association
CAITLIN STARKS, Atlantic States Marine Fisheries
Commission

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PERRY TRIAL, Texas Parks and Wildlife
Department*
RICK WEBER, South Jersey Marina
ALAN WEISS, Blue Water Fishing Tackle Co.
ANGEL WILLEY, Maryland Department of Natural
Resources
ESTHER WOZNIAK, Pew Charitable Trusts

NOAA NMFS STAFF PRESENT

HEATHER BAERTLEIN, Atlantic Highly Migratory
Species Management Division*
RANDY BLANKINSHIP, Division Chief, Atlantic
Highly Migratory Species Management
Division
KARYL BREWSTER-GEISZ, HQ Fish Branch Chief,
Atlantic Highly Migratory Species
Management Division
BENNETT BROOKS, HMS Division Staff
PETER COOPER, Branch Chief, Atlantic Highly
Migratory Species Management Division*
LISA CRAWFORD, Knauss Fellow, Atlantic Highly
Migratory
Species Management Division
BECKY CURTIS, Atlantic Highly
Migratory Species Management Division
Elsa Gutierrez, Atlantic Highly Migratory Species
Management Division
TOBEY CURTIS, Atlantic Highly Migratory
Species Management Division
KELLY DENIT, Director, Office of Sustainable
Fisheries, NOAA Fisheries
GUY DUBECK, Atlantic Highly Migratory
Species Management Division
STEVE DURKEE, Atlantic Highly Migratory
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JOHN FOSTER, Office of Science and Technology
CLIFF HUTT, Atlantic Highly Migratory
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JENNIFER CUDNEY, Atlantic Highly Migratory
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BRAD MCHALE, Atlantic Highly Migratory
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SAM RAUCH III, Deputy Assistant
Administrator for Regulatory Programs, NOAA
Fisheries
LARRY REDD, JR., Atlantic Highly Migratory
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GEORGE SILVA, Atlantic Highly Migratory
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DIANNE STEPHAN, Atlantic Highly Migratory
Species Management Division*
JACKIE WILSON, Atlantic Highly Migratory
Species Management Division
Erianna Hammond, Atlantic Highly Migratory
Species Management Division

ALSO PRESENT

DAN CREAR
MILES DOVER, NOAA Office of Law Enforcement
ERIN FOUGERES, NOAA Fisheries Office of
Protected Resources*
BRIAN HOOKER, BOEM
BRANDON JENSEN, BOEM*
ZACH JYLKKA, BOEM*
KATIE MOORE, U.S. Coast Guard
JEFF ODEN*
ERIC PATTERSON, NOAA Fisheries Office of
Protected Resources*

*participating by webinar

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

2 9:00 a.m.

3 MR. BROOKS: All right. Let's get
4 going here. Good morning everybody. Nice to see
5 you again. I hope everybody had a nice evening.

6 From what I could tell, pretty much at least
7 half of the advisory panel had dinner at the
8 Japanese restaurant last night.

9 So it seemed to welcome everybody in
10 or out of the place, so I hope folks had a good
11 evening, and thanks so much for the good
12 conversation yesterday. It's always interesting
13 to just hear all the different perspectives
14 around the table and I think super helpful for
15 the agency to hear your thoughts.

16 So today, we have another, another
17 stack of topics to cover today. Just to remind
18 us all, this will be an early end today, so count
19 on leaving here by three o'clock, and reminder
20 number four, get your travel requests in, and
21 reminder number five will come later.

So today, what we want to do is a few
things. We're going to -- most of our presenters

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today will be remote, so thankfully that won't matter because we'll just bring them right into the room. But we will hear about the vessel strike speed rule and the pelagic longline take reduction plan rule. We'll have an enforcement update both from Coast Guard and OLE.

We'll take a break at 10:45, and post that break, we will hear from the Bureau of Ocean Energy Management. We'll take lunch from 12:00 to 1:30, and then after lunch we'll come back and have -- get the economic updates that we get periodically here that are always pretty interesting to you all.

For any members of the public that are listening in and wanted to make a comment, we will have public comment at around 2:30, and again we'll start wrapping up at around 2:45 and adjourn no later than three o'clock.

One other agenda note. Once I finish up here, just sort of opening up, we're going to just take a little tiny dip back into yesterday's late in the day MRIP discussion. Not to open it up fully and sort of dive back in because we

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don't have the time, and that might not be so much fun.

But we do think there's probably just a little bit of context that would be helpful for the HMS folks to fold in, just to put that conversation in a bit more perspective, and see if there's any questions, and then we'll just stick with our conversation and, you know, hit the special strike speed rule at 9:15. David?

(Off mic comment.)

MR. BROOKS: In a moment. So all right. So just a couple of ground rules. Just to remind us in case there's new folks on the phone or in the room, the conversations around the table with the advisory panel members or alternates who are sitting in for others who are not around the table, again the public comment period would be, you know, the moment for you to fold in.

I'll manage the queue again today the way I've done it -- did it yesterday and previously, which is bounce it back and forth between the room and the online, and again just

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sort of making sure we're having a good cross-mix of conversations.

Folks were great about not having side conversations, which is super-helpful, again for making sure that we can all hear the conversations that are going on. Hopefully our connectivity today won't be quite as spotty, but if it is, just ask the online folks to, as you were doing very faithfully yesterday, let us know when things cut out, which I am seeing is already happening again this morning. Bummer.

We'll do what we can and I don't know what it is that we can do. But just keep letting us know, and hopefully it will be better.

One other thing I didn't note which I should for the agenda today is before lunch, I think we mentioned this yesterday, we will give an opportunity for outgoing members, except for Rick, who informs us he is not outgoing for just a little longer, to just, you know, share any brief reflections. We've done that before.

I think it's a really nice opportunity for folks who've given a lot of time and effort

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to this just to say a few remarks. So we'll do that again. Let's see. Is there anything else I want to hit here? I think that's it, so I think Randy, over to you.

MR. BLANKINSHIP: Yeah, thanks Bennett. So in the spirit of our opening here and recap type of agenda item right now, we wanted to just take a moment to kind of come back in and provide a little bit of context about that MRIP and Fisheries Effort Survey presentation yesterday afternoon. You know, towards the end there, we were running into the public comment period, and so we kind of sort of had to kind of wrap that up and didn't get back to it.

But I wanted to provide a little bit more context about the MRIP Survey and the Large Pelagic Survey. I did touch on it a little bit, but Cliff Hutt, I've asked him to come up and just kind of offer some context about that as it pertains to HMS Fisheries.

Cliff Hutt is our, one of our recreational fisheries coordinators in addition to many other things in HMS Management Division,

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and so I'll just turn it over to Cliff, and he can share some thoughts with us.

MR. HUTT: So basically what Randy has asked me to do is just kind of clarify how we use the MRIP data in HMS. Now our primary recreational data collection is always going to be the Large Pelagic Survey, in those states and months where it is conducted, which is Maine to Virginia, the months of June through October.

Now that pretty much captures the recreational bluefin tuna fishery. That's what the LPS was designed to capture. We have had some discussions in recent years about there might be some need to expand what months the LPS covers because of seeing that fishery getting started a little early some years, although that really hasn't materialized as much for the last two years.

Beyond the LPS for those months and states that the LPS isn't covering, we will rely on our bluefin tuna catch reporting as our secondary data source, because the main place where you'll see some recreational landings of

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bluefin tuna outside of that region is going to be North Carolina in the winter, but it's mostly oriented to those trophy-sized fish. It would be a very rare event in the MRIP Survey.

Now for other species such as the BAYS tunas and the sharks, the MRIP will take a much more prominent standpoint as our secondary data source. Again, LPS is the primary, but then MRIP becomes the secondary data source to cover areas like the South Atlantic, the Gulf of Mexico to Mississippi, and we also get additional data from the Louisiana Creel Survey, Texas Parks and Wildlife and the Southeast Regional Headboat Survey, which is conducted in the Gulf of Mexico and Florida, which covers our estimates for headboat catches in that region. They do get into some yellowfin tuna and sharks down there.

For the coastal sharks MRIP is our primary data source, because the LPS is designed to target the offshore fleet and coastal sharks are primarily caught closer and mostly in state waters. So even in the Northeast, we're going to rely more on MRIP for coastal sharks.

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And admittedly as Randy said yesterday, there is only a few of those species that are going to be seen often enough that MRIP does develop good estimates. It's just a fact that most sharks are going to be rare event species in our recreational Surveys.

And given most coastal sharks are landed by state water anglers that are required to have HMS permits, it's difficult for us to effectively implement catch reporting for those.

So that's what it is, and we are working always to deal with that data, you know.

MRIP has a Rare Event Species Working Group. One of their common recommendations is to use combined data across multiple years to do multi-year averages, and that's one of the things we're considering in Amendment 16 for more active shark management.

For the billfish and the 250 limit, we don't really rely on the Surveys at all. With a limit that small, no Survey design is going to produce estimates that are reliable for harvest.

That's too rare an event, even more rare an

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event than our coastal shark harvests.

So for that, we have put up our permit reporting program, our catch reporting program, the state catch cards in Maryland and North Carolina. It takes a lot of effort and expense to monitor that small of a catch, but it's worth it because we have that international commitment and requirement to stand that up.

We will use some MRIP and LPS data for that, but only if the Surveys directly observe a harvest of a blue or white marlin, in which case we will only use that single data point. We will not use extrapolated estimates from the Surveys for the 250 count.

MR. BLANKINSHIP: All right. Any questions?

MR. BROOKS: David, and let me just note, it's 9:10. We will actually end this at 9:15, because we need to get to our first presentation. I see David and then Jimmy, so please be succinct.

MR. SCHALIT: Thanks Cliff. Yeah, I feel fairly clear on the objectives of MRIP.

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Where I'm fuzzy is in connection with the initiative with regard to the Large Pelagic Survey and the ANPR, okay, because they're connected.

We're talking about direct reporting from recreational fishermen in the ANPR, and that -- and that assumes that that conversation will also encompass what the kinds of queries we want answers to, which is dependent upon what we're wanting the data to tell us, okay.

So there seems to be a kind of parallel activity taking place here, and I'm not exactly sure how, if we're all talking, you know, to each other in this case, you know. I'm somewhat fearful of developing new, a new survey or a new survey design shall I say for the Large Pelagic Survey.

MR. BROOKS: David, I'm going to push you to get to the question because I want to get to Jim before we go to the next piece.

MR. SCHALIT: Yeah, I know. It's a little complicated actually. That's the reason why I've taken my time. If we, if we change any

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elements of the Large Pelagic Survey, we have now just created a new index, okay, and that new index is fine. But it needs to be built up. We need to have X number of years of data before that SCRS can use it, okay.

So in my view, what would need to be done is we would need to continue the Large Pelagic Survey as it is now, and run the new survey in parallel until such time that we have enough data to introduce.

MR. HUTT: Totally agree with you, and that is something the agency recognizes. We share those concerns. Now there's two things going on here. There's the existing LPS redesign effort, which we're completing the fourth year of parallel data collection between the existing dockside intercept survey and the new pilot design, which will take on the new design for the dockside survey.

That we're hoping to implement in 2025, but we've got that four years of data to use for calibration purposes. However, we don't expect in any way for the change resulting from

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that new design to be anything like it was when we did the MRIP change to the fishing effort survey, because we're not really changing the effort survey for the Large Pelagic Survey.

That design was pretty much approved by the National Academy of Sciences, because their main big issue going from coastal to telephone survey to FES was one, the large percentage of homes that were abandoning land line telephones, which was the big thing that was pressing for switching to a mail survey because you just couldn't reach half of them anymore, and the adoption of the sampling frame that was more permit-based rather than random household dialing for coastal states and counties.

The OPS has always been based on the HMS permit frames and you know, we have both in those permit frames we get whatever their primary number is, be it land line or cellphone. So the abandonment of land lines wasn't an issue there.

So it kind of was good to go. So we've been making some modifications to the intercept survey, the dockside survey, which S&T

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does not expect that to have any significant impact on -- significant impacts on say the tuna estimates. They are thinking we may see bigger changes on the estimates for fish that are caught more in tournaments such as billfish and sharks.

But again like I said with the billfish, we're not using the surveys for setting the 250 limit. That would be more for estimates affecting estimates of released fish.

Now the other thing with the ANPR, yeah, is the potential to move to an electronic log book for hire, and that's something that we are considering because that's what all the councils have been pushing for, and have already been switching to. What the industry has been kind of saying they want to switch to that rather than using the for hire survey, average survey.

So it's something we're considering, but any, any discontinuation of what's being done, the data collection that's being done by the Large Pelagic Survey and MRIP through the for hire survey would again, it would have to have a calibration period. We recognize that. We're

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not going to make any sudden changes.

MR. BROOKS: Jimmy, can you ask your question in 20 seconds.

MR. HUTT: Yeah, sorry.

MR. BROOKS: And folks, get close to the mics. that would be very helpful, thanks.

MR. HULL: Yeah, Jimmy Hull. As it pertains to coastal sharks and MRIP recreational data, where can we find out the number of successful intercepts? Is that available too?

MR. HUTT: So by successful intercepts, you mean intercepts that actually intercepted a coastal shark?

MR. HULL: Yes sir.

MR. HUTT: Technically that is available, but it's a lot of data to go through if you're not familiar with it. But we could discuss that on a sidebar.

MR. HULL: Thank you.

MR. BROOKS: Great. Thanks Cliff very much. All right, and obviously folks may have more questions, more follow-ups, I don't know. So please, you know, see Cliff at break or over

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lunch or something, if there's more you want to dig into here. So thanks.

All right. So let's dive into our first discussion of the day, which is to cover two things, the Vessel Strike Speed Rule, and we'll be hearing from Eric Patterson with NOAA Fisheries Office of Protected Resources, and then the Pelagic Longline Rule Update. We'll be hearing from Erin Fougères out of the Southeast Region.

So Eric and Erin good morning. I don't know what order you both want to go in, so I will leave it to you and hand it off.

MS. FOUGERES: I think I am presenting first. This is Erin. Hopefully, y'all can hear me and I will share my screen. Stand by.

MR. BROOKS: And Erin, Bennett here. We hear you loud and clear.

MS. FOUGERES: Can you all see that?

MR. BROOKS: Yes.

MS. FOUGERES: Okay, great. All right. Well thank you so much everyone for having me, and I'm happy to be presenting to you

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today about the amended Pelagic Longline Take Reduction Plan. Today, I'm going to just give you some brief background on the plan. We'll talk about the geographic scope and then we'll talk about the regulatory elements and the non-regulatory elements of the plan.

So the background. The Pelagic Longline Take Reduction Plan is required under Section 118 of the Marine Mammal Protection Act, to reduce serious injury and mortality for bycatch of shortfin pilot whales in the U.S. east coast Atlantic pelagic long line fishery.

The Pelagic Longline Plan includes regulatory and non-regulatory management measures. The regulations implementing the plan were first published in May -- on May 19th, 2009, and the plan was amended on June 6th of this year, based on consensus recommendations made by the Pelagic Longline Take Reduction team.

The geographic scope of the Take Reduction Plan requirements is the entire U.S. Atlantic EEZ, and there are certain components of the plan that are effective in different areas of

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the EEZ there.

And then just a note: You all may recall that previously the Pelagic Longline Take Reduction Plan included a Cape Hatteras special research area, but please note that the amended Pelagic Longline Take Reduction Plan removed that area, along with its special observer and research participation requirements for all fishermen operating there.

So there is no longer a Cape Hatteras special research area or any of the call-in requirements or special observer requirements that existed there.

So what are the regulatory requirements in the amended plan? So they include the marine mammal handling and release placard. Now this regulation was effective almost 14 years ago, so on June 18th of 2009 it was an existing requirement from the original take reduction plan, and it requires all affected pelagic longline vessels in the U.S. Atlantic EEZ to post the marine mammal handling and release guidelines inside the wheelhouse and on the

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working deck.

The plan also includes main line length restrictions in the Mid-Atlantic Bight. These regulations became effective on July 6th of this year, and it modified the original main line length restrictions in that area. So that vessels operating in the Mid-Atlantic Bight may set no more than one main line in the water at any one time.

However, if the gear breaks or parts after setting so that there are two pieces, the vessel owner or operator should make every effort to remove the additional portions of the gear as soon as possible. Mainline in the Mid-Atlantic Bight cannot exceed 32 nautical miles in length, subject to the following specifications.

So you can't have more than 30 nautical miles total of active gear, which is gear with gangions or hooks attached deployed along the main line. A single section of active gear can't exceed 20 nautical miles.

So if you have more than one section of active gear along the mainline, you have to

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have each section of active gear separated by a gap of at least one nautical mile with no active gear. So this is a little confusing. So here's a couple of examples of what that could look like.

So your total nautical mile length of mainline can be 32 nautical miles. However, you can't have more than 30 nautical miles of active gear, and if you have more than 20, you have to separate it by a gap.

So you can set ten nautical miles of active gear and put a two nautical mile gap and set another 20, or you could also set ten nautical miles of active gear, have a one nautical mile gap, set another ten, do one nautical mile gap, set another ten. You could just set 20 nautical miles of active gear. So there's a number of different ways that you could configure your mainline length to meet those requirements.

There are also terminal gear requirements in the amended take reduction plan, which have a delayed implementation and will be

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effective on July 8th of next year, 2024. This says that vessels operating in the U.S. Atlantic EEZ can only possess, use and deploy hooks and gangions that meet the following specifications.

So for hooks, the hook strength must be constructed of corrodible round wire stock and meet the following specifications. For a 60-knot hook, the diameter should not exceed 4.05 millimeters and should straighten with a force not to exceed 300 pounds, based on manufacturer specifications when new.

For an 18 knot hook, it should have a round wire diameters not to exceed 4.4 millimeters, and have the same strengthening force. For gangions, all gangions should be made of monofilament nylon and no other line materials such as wire may be used. However, you can use crimps and chafing gear. The nylon should have a diameter of 1.8 millimeters or larger, and have a breaking strength of at least 300 pounds, based on manufacturer specifications when new.

And I note that in the regulations, there is an exception for transit to these gear

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requirements, so that if you're just transiting to the area, for example, to an offshore fishing zone, there are regulations that allow you to do that and transit through, for example, the Northeast Coastal or something.

So in summary, the regulatory requirements of the Pelagic Longline Take Reduction Plan, if you're operating in the Mid-Atlantic Bight, you should be following the marine mammal handling and release placard, following the main line length restrictions and in June of next year -- I mean sorry, July of next year, you should be meeting the terminal gear requirements.

If you're operating anywhere else in the U.S. Atlantic EEZ including the Mid-Atlantic Bight, you should be following the handling and release placards and the terminal gear requirements in July of next year.

So there are also some non-regulatory elements of the plan, of which NOAA Fisheries is responsible for implementing three of them within the constraints of available funding, and they

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include increasing observer coverage to 12 to 15 percent throughout all fisheries, all pelagic longline fisheries that interact with shortfin pilot whales, with priority given to the Mid-Atlantic Bight; to convene a Safe Handling and Release Work Group to update protocols for marine mammal interactions in the Atlantic pelagic longline fishery; update observer protocols and fishery observer data forms to increase information collected from marine mammal interaction and depredation events in the fishery; and then the last measure relies on the fishing industry, which is Captain's Communications.

It says that vessel operators throughout the Atlantic pelagic longline fishery are strongly encouraged to maintain daily communications with other local vessel captains regarding protected species interactions, with the goal of identifying and exchanging information relevant to avoiding that bycatch. For this to be effective, the exchange of information should be timely, involve cooperation

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and intended to result in an action being taken to either avoid or reduce bycatch.

So thank you very much, and there is a website with additional information the Pelagic Longline Take Reduction Plan, and a PDF of the compliance guide, which we are working once we enter the new fiscal year to publish so that we can distribute it to fishermen along the coast that might be affected.

MR. BROOKS: Great, thanks so much Erin. Let's see if there's a question or two, before we hand it off to Eric to talk to us about the Vessel Strike Speed Rule. So any questions for Erin about this in the room or online?

(No response.)

MR. BROOKS: Okay. I do not think I'm seeing any, so thank you Erin. We can let you go back to other stuff and hand it off to Eric. Thank you sir. Hey Eric, are you there?

(Pause.)

MR. BROOKS: Eric, you still seem to be on mute on your end. Peter, are you hearing that? Do we have the -- okay, we're seeing it

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now. Can we have Eric call in? Folks are working on this, Eric. Just hang in there for a couple of minutes please.

(Pause.)

MR. BROOKS: Eric, try, give it another shot to come off mute. He thinks he's got it. So he got you?

MR. PATTERSON: Can you hear me in the room?

MR. BROOKS: Yes, we can.

(Pause.)

MR. PATTERSON: Hello, hello?

MR. BROOKS: We got you, Eric.

(Off mic comments.)

(Pause.)

MR. BROOKS: Eric, are you not hearing me right now? Eric, are you hearing us right now?

MR. PATTERSON: Yes. Can you hear me, hear me? You can hear me?

FEMALE PARTICIPANT: Yes, we can hear you.

MR. BROOKS: Yes, we can.

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MR. PATTERSON: Let me just try to get the presentation going, and I will be with you in one second.

(Pause.)

MR. BROOKS: Yes, we can see your screen and we can hear you.

MR. PATTERSON: We're see it, okay. Does it -- I see that pennant. Does it look like it's in presentation mode or?

MR. BROOKS: Now it is, Eric.

MR. PATTERSON: That's better. I'll close my -- okay. Sorry for the technical delays everyone. I'm Eric Patterson. I'm in the NOAA Fisheries Office of Protected Resources here at our headquarters office in Silver Spring. Sorry I couldn't be with you today in person, but I came down with a cold yesterday and didn't want to share all germs. So I figured I'd just save you all and present remotely.

So next slide. Thank you. So for those not familiar with the North Atlantic right whales, the species is in crisis. They've been in decline since around 2010. This was a species

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that was severely hunted nearly the extinction by whaling, showed some slow recovery from the 90's until 2010, and then some changes in habitat use led to them being in places where there were not as many protections for them from human impacts such as entanglement in fishing gear, as well as vessel strikes, the two main threats to the species.

So they've been in decline, as I said, from around 2010. We think there are around 350 or fewer individuals, only around 70 of those are reproducing females. So a pretty skewed sex ratio, especially when you consider the reproducing females.

There is an ongoing unusual mortality for the species, with 115 currently documented that seriously injured or sub-lethally injured or ill animals. This is ongoing. This has been ongoing since 2017. I'll note that of the 115, that's what we see, and in general we estimate that we only see about a third of the right whale deaths, based on market capture studies and identifying the individuals.

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Next slide, please. So NOAA Fisheries' strategy for preventing the extinction and promoting recovery of North Atlantic right whales is something we call our North Atlantic right whale road to recovery. I'm not going to go through all the bits and pieces here, but just to say that we're focusing on addressing one particular threat, with the proposed amendments to the vessel speed rule here and that's vessel strikes.

Next slide, please. Next slide then, thank you. So for those that are not familiar with the North Atlantic right whale life history and habitat use, what you're seeing here is a map showing the site of those locations -- note that this is not corrected for effort -- up and down the U.S. Eastern Seaboard.

They do occur in Canadian waters as well, particularly more recently, but I'm not showing that on this map. In the northern part of their range, in the Gulf of Maine and northern parts of the Mid-Atlantic, and into Canadian waters, it's primarily their foraging habitat.

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Through the Mid-Atlantic and into the Southeast is a migratory corridor, where animals, particularly females and producing females will migrate.

So the entire population doesn't migrate, just those reproducing as well as a few others head to the Southeast (inaudible) grounds which are off the coast of Georgia and Florida.

Right whales are extremely vulnerable to vessel strikes, compared moreso to other large whales for a couple of reasons. One, they're extremely coastal in their distribution. So they're overlapping extensively with vessel traffic. Two, they are at the surface quite a lot of the time, particularly mothers and calves as they move up and down the coast.

And what's not listed here three, is that they are really hard to see in the water. They don't -- they're black. They don't have dorsal fins. There are some great photos of what looks like a wave and it's really a right whale.

So they're really difficult to see, so mariners often can't see them before it's too late.

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Next slide, please. So what I'm showing here is just a visualization to give you an idea of the threat they face up and down the coast. The red dot, if you can follow that, is a one year-old right whale calf that was tagged by our partners, HDNR and the Navy, cruising up and down from Atlantic City through New York area up until off Long Island.

The blue dots are all the vessels that we have tracked using AIS data. So this isn't the entire population of vessels. This is just those with AIS receivers on board, generally speaking, 65 feet or greater, although some smaller vessels may have it too. What you can see is that the whale is constantly in and out of traffic, goes really close to the shore, and it's probably not surprising that there's a threat of vessel strike for this individual as it moves up and down the Eastern Seaboard.

Along the east coast, as most folks know, it's extremely urbanized. A lot of dense vessel traffic. I'm just showing you one area here, many busy commercial ports. There's also a

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lot of recreating vessel traffic as well.

Next slide, please. All right. In terms of the breakdown of animals that are struck, right whales that are struck by vessels, I just wanted to give you a sense on sort of where they're occurring, who they're occurring to and what vessels are involved based on the data we have.

So between 1999 and 2022, we've got 25 lethal vessel strikes documented in U.S. waters.

In terms of where these are occurring, it's all over the board. It's in the Southeast, it's in the Northeast, it's in the Mid-Atlantic. So it's not as if the risk is confined to one particular area per se. In terms of the age groups, the important thing to note here is that respective to the population and the number of animals, that calves are over-represented.

So a lot of calves compared to others appear to be dying from vessel strikes. This could be biases in the data, but we think that there's a good reason to believe that they're actually more impacted by vessel strikes,

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including their mothers as well. If you look down at the sex, 48 percent of the strikes are females.

If you recall back, I said it's highly skewed towards males in the population. So females and calves seem to be disproportionately affected by vessel strikes.

Some of you may know that the current vessel speed regulations that we have in place and have had in place since 2008 apply to most vessels greater than 65 feet in length. Looking at the vessel size classes here in terms of the breakdown, and going to the unknown for a minute, you'll see that we do actually have quite a few vessel strikes of -- lethal vessel strikes of North Atlantic right whales from vessels under 65 feet.

These vessels are not currently required to slow down in areas where right whales can be present. So it's occurring to all age groups and sex classes, primarily females and calves, all over the regions, and basically all the vessels that we looked at are capable of

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killing a right whale given a strike.

Next slide, please. Okay. So what's currently in place is what I'm showing you here.

We have up and down the east coast what we call "seasonal management areas." These are concentrated often around ports. You can see the different colors there representing different seasonal time periods when these seasonal, what we call seasonal management areas or SMAs come into becoming active.

There are some exceptions to this rule, though mostly it applies to all vessels greater than 65 feet in these certain areas and times of the year.

The exceptions are military vessels, federally owned vessels, search and rescue and enforcement, and I'll also note that under the existing rule, there is a safety deviation if the vessel encounters conditions that are impacting its maneuverability. There's a process by which they can log that deviation and then be exempt from the speed rule.

Not part of the existing speed rule

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but launched around the same time as the speed rule is what we call our dynamic management areas program. More recently, we have been referring to this as the slow zone program. This is a voluntary program, so not a regulation that is when we detect a right whale either visually or acoustically, we request that all mariners slow down.

So all vessels of all size classes slow down to ten knots or less in these areas or avoid these areas altogether. The idea here is that we can't always predict where right whales are going to be, but if we see one sort of outside of one of these seasonal management areas, we would like to provide further protection given the various state of the animal.

I'll note that compliance with our current seasonal management areas is fairly high.

There it is by region, but it's fairly high. But cooperation with our voluntary program is quite low. So we're not getting a lot of effective conservation value from that particular program.

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Next slide, please. Can you go back just one more? Thanks. I just wanted to quickly point out where these dynamic management areas are primarily being triggered. From the previous slide, you probably noted that there was a fairly large SMA in the Southeast area, not so much in the Northeast because it's going to be concentrated off the ports.

So somewhat not surprisingly, a lot of the dynamic zones that we declare tend to be in the Mid-Atlantic or the Northeast, particularly sort of south of the islands off of Massachusetts, Connecticut, Rhode Island, those areas. So that's where we're currently declaring a lot of these, is again these are the voluntary ones, and I'm just showing you 2021.

But this figure will become relevant in a few minutes when I show you what, what would potentially happen under the proposed regulations.

Next slide, please. Okay. So about a year ago last summer, given the plight of right whales and the continued observations of lethal

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vessel strikes, both for vessels of all size classes across the range of the species, NOAA Fisheries proposed a modification to the existing regulations.

There's four main categories. Sorry, the number in this is messed up. I'm not sure how that happened, maybe in the PowerPoint to Google slide conversion.

But there's four main areas where we are proposing some changes to the speed rule, to substantially further reduce vessel strike risk.

The first is to really address the biggest issue here, which is that there's a mismatch between where right whales are both temporally and spatially, and where our current seasonal management areas are.

This is due to right whales changing their habitat and distribution over the last five decades or so. So we're proposing changes to the timing and the spatial boundaries of what we have referred to previously as the seasonal management areas. Going forward areas, I'm going to call those "seasonal speed zones," just to kind of

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simplify some of the technology, I mean sorry, the terminology, excuse me.

The second addition or change would be to add vessels between 35 -- most vessels between 35 feet and 65 feet, given the data show that these vessels are indeed killing right whales and currently are not subject to speed restrictions that would slow them down to help protect the species.

The third thing is to actually create a mandatory dynamic speed zone program or framework. As I noted, we have pretty low cooperation with the voluntary program, and we don't expect this program to be used all that frequently, given the changes in the spatial boundaries of the seasonal areas.

But when right whales do occur outside of these, it's necessary to provide additional protection, again given sort of a decline of the species and how close they are to approaching extinction.

Finally, we updated the safety deviation provisions. I probably won't go into

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too much detail on that, but we sort of modernize them and added some clarifications to them as well.

Next slide, please. Okay. Just real quick, because I know we had some technical issues. Bennett, how am I doing on time, because I wanted to get through some of this so people will have time for questions.

MR. BROOKS: You've got about 20 minutes Eric, but we want to leave -- I'm sure there will be some questions. So how much, how many more slides do you have to go through?

MR. PATTERSON: It looks like I'll go through sort of each of those 1 through 4 components briefly. These slides will be available. Similar presentations are posted online too, and obviously all this is detailed in the proposed rule.

So I won't go into great depth here, but essentially what you're looking at here is the previous SMAs in the dotted, what appears at least to be, to be purple and red areas, and then the filled in areas are what would be the new

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seasonal speed zones.

So we're proposing to expand these to better cover where right whales are and where the risk is from vessel strikes. You'll note that a lot of the expansion is occurring in the Mid-Atlantic or the Northeast, and not as much expansion in the Southeast. Those zones are already fairly good in terms of covering the Southeast habitat and right whale distributions in the Southeast have not changed nearly as much as they have changed in the Northeast.

So approximately double the area under which these speed regulations will be in place, but again addresses a lot of risk that was currently unaddressed with the rule. Probably of interest to this group, I'll note that the majority of the HMS registered fishing tournaments likely occur outside of the proposed DSZ areas and times.

So while they may be in the areas, they're usually not in the area when it's active, meaning I think when we look at 2021 data, it was only eight of the tournaments would be affected

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and something like 90 percent would not be impacted. Of course that will vary year to year depending on the timing.

But based on what we've seen so far, the majority of them would not be subject to regulations when -- or speed restrictions when those tournaments are ongoing.

Next slide, please. Okay. In terms of adding smaller vessels, just to give you a little bit more background on why we believe this is needed for most vessels 35 feet or greater. In the last several years, we've had eight right whale strikes from vessel size -- from vessels 35 to 65 feet, in that range. Six of these were lethal.

We also have another six that are undetermined large whales from vessel strikes in this -- from vessels in this size class that could have been right whales. It's hard to identify them in many cases if we don't get the carcass. I also would note that in seven of these cases, the mariners, the operators had no idea that there was a whale in front of them

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prior to the impact.

And particularly important for smaller vessels is that in cases of the striking of a large whale, it can result in significant damage to the vessel and even threaten human life. So it's a big deal when a smaller vessel strikes a whale, both for the whale as well as for the humans.

I'll also note that the idea of regulating smaller, vessels smaller than 65 feet to reduce vessel strike risk is not necessarily new.

Canada has been doing this in the Gulf of St. Lawrence for a while now to protect right whales, and the state of Massachusetts has regulations in place to protect right whales from vessel strikes from vessels smaller than 65 feet in Cape Code each year as well.

So while it's new to our proposed amendments to this rule, it is well-recognized that vessels in these size classes pose a lethal risk to right whales at least.

Next slide, please. Okay. Looking at

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this slide again, I'm not going to go through the text in the interest of time. But I'm just going to point out that if the new proposed seasonal speed zones were to be put into place, all of the black dynamic zones would no longer be triggered.

The pink ones are the only ones that would potentially be triggered by the new program. So as you can see, we'd be getting rid of the lot of the dynamic zones by essentially noting that we were doing those over and over again, and right whales were fairly persistent there, and now we're including that as part of the seasonal restrictions.

The other thing I'll note is that unlike our current voluntary program where we simply need to detect a right whale and then we declare the voluntary slow zone area, with the new program there's an extra layer. So we would need to detect an animal and we would need to show, based on the best available science, that the animal, the animals would indeed be in the active area when it's in effect.

So the idea here being that we're not

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going to request or require mariners to slow down if the whales are just going to get out of dodge and not be in that area anymore. We need some understanding that they're going to be there and actually get some protection from the dynamic zones.

Next slide, please. Okay. In terms of the safety deviations, I'm going to point out just a couple of things real quick. One is that we've clarified that, you know, deviations can include emergency situations that present to health, safety or the life of a person. This may have somewhat implied before, but now we're very explicit with that.

I'll also note we're doing away with the logbook entry in terms of documenting this, and moving sort of to a more modern chart requirement.

Lastly, in adding the smaller vessels from 35 to 65 feet, they essentially get an automatic deviation if there's a Weather Service scale warning or other warning from the National Weather Service that would fairly, fairly

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obviously indicate some potential threat to health, safety or the life of a person.

In these cases, there's no deviations -- no deviation reporting is required. In the interest of time, I'm going to skip over some of the enforcement stuff and go to the next slide.

All right. So in terms of the economic impacts, this is what our draft analysis with the proposed rule found. About 16,000 vessels would be -- would be impacted. Cost is about 46 million a year. I'll note that most of this cost is -- would be, would be felt by the commercial industry. The commercial shipping industry would bear most of the cost here.

The number of vessels that would be impacted, you can see there's a breakdown, a lot of those would be recreational and pleasure vessels which are not currently regulated in the smaller size classes, although the larger ones are. I'll also note that we believe that in general, our estimates here are a little bit high, and that's important because the data for smaller vessels are not nearly as good as we have

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for larger vessels.

Many of the data that we use might include vessels that would be say in the Chesapeake Bay or in near-shore waters that are not part of the regulations.

Next slide, please. Okay. So comment period was opened last summer until October. We received a lot of interest in this rule not surprisingly. Over 90,000 comments or with signatures on the comments 21 individual commenters submitted.

I'll just note some, what might be interesting for this group and sort of those that we heard from. We heard from the Mid-Atlantic and South Atlantic Fishery Management Councils. Recreational charter fishing impacts were the first and second-most referenced industries, with commercial fishing being the third, so a big deal.

We had a lot of local as well as national fishing organizations submit comments, 51 environmental and wildlife non-profit organizations, next slide please, submitted

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comments.

A lot of pilot groups as well as shipping organizations, a lot of Congressional interest, state agencies with South Carolina being the most vocal of all of them, and a lot of industry as well as manufacturers, as well as passenger and transport and ferry services and the like.

So we had a lot of interest. We're currently in the process of taking all that into consideration, and working to take final action on the rule by the end of 2023. Given that and that we're in the delivery period, there's not a lot more than I can say unfortunately about the rule.

But I think my next slide is just questions, so I will stop there and see if there are any questions.

MR. BROOKS: Thanks Eric. That was a great run-through. Let's see if we've got a few questions. We've got about ten minutes or so. Let's go with Tim and then Rick and then up to Fly.

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MR. WEBER: Rick Weber, Rick. I've just -- I've got -- I'm just going to throw you four questions real quick that hit me as you went through. You mentioned habitat usage. Do we know what changed after the plateau and why the habitat usage changed?

Next question, you marked eight whale strikes under 35 -- or 35 to 65. I was curious about the time of year, you know. You may have proven lethality, but when did those whale strikes occur. The DSZs. Are DSZs likely to be -- can it be SEB-triggered year-round? Will we have year-round impact.

As we're talking about this being an off season event, with the DSZs I don't yet understand whether they could happen in season. And when you showed that small wedge of recreational cost impact, does that include a decrease of use, because I could seriously see a decrease of use because of this. So there's four for you to go through. Thank you.

MR. PATTERSON: I'll do my best to answer those. Some I can, some I'd have to get

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back to you on. So the first, why did the habitat use change? It's fairly well-accepted now that that's driven by changes in oceanographic conditions that resulted in their prey changing the abundance distribution and density.

In particular, moving a lot of their prey up into the Gulf of St. Lawrence, and not in particular foraging habitats that they used to be. So we think that that is driven by oceanographic changes that change prey distributions, ultimately all of it being driven by warming oceans and climate change. So that's the first one.

In terms of the strikes, time of the year, I'd have to get back to you on the specifics. But generally speaking it's all times of the year, and I think what I'd highlight even more though is that we see eight strikes, but as I mentioned, we only really see about a third of the overall deaths of right whales. So those eight are a third of what we see or what probably is happening out there if we apply that, just a

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one to one to vessel strikes.

So but I can get back to you if you want the exact timing and location. But I know that it's been up and down the coast and fairly all, fairly much all times, pretty much all the times in the year. I know for example there's been some off Florida and some off Massachusetts in both small vessels, different times of the year.

DSZs, yes those would be year-round. So it is possible that a DSZ could be declared in an area that would otherwise be subject to a seasonal zone, but the seasonal zone is not in effect.

So to your point yes, if there's a tournament ongoing in an area where there are no restrictions because the seasonal zones are either don't overlap or they're turned off, it is possible that there could be dynamic zone put in place as well.

That will depend on the monitoring on determining again the persistence that right whales will actually stay in there. We need a

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greater than 50 percent chance that they're actually going to stay or more right whales will be coming to that area when it's active, and of course we need to detect them acoustically and visually as well.

And on the last one, I am not the economist on this. I cannot answer that question, but I can look into it and get back to you. I'm not 100 percent sure if we included a decrease in use for the recreational industry or not.

MR. BROOKS: Great. Thank you, Eric.

Let's take a couple more in the room and then we'll go online. Tim and then over to Fly.

MR. PICKETT: Okay. Rick actually asked a couple of my questions. One question I have to begin with and then another longer one. The short one is on page 12, with the eight, eight whale, right whale strikes by smaller vessels, I'd like to know the time period of that, you know, how many years was that, was that over.

And my second longer one is kind of a

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discussion point frustration question. If you look at the decline, I have some history in the right whale stuff. I did my master's thesis on a right whale fishing gear modification. If you look at the decline around 2010, some interesting things happened in, you know, in the 2008-ish era. I remember in my graduate school time.

Lobster gear went from floating ground lines to sinking ground lines. They also put in weak links, and there was also the major speed restriction, which I believe was the first one in the shipping lanes area around Boston. I remember being at that meeting in New Bedford when that was announced, and the decline happened after all of this.

What my question is, is if we put these regulations in and largely a lot of this is speculative. I remember there being, the study being done about vessel restrictions and how slow they needed to go if impact was an issue and things like that as well.

But what I fear is all of these restrictions going into place. We still see the

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decline. We have no ability to know if the decline, if the restrictions helped in the case of those fishing gear modifications, because I know that that's still ongoing.

The speed restrictions, we have no idea if it helped. If this doesn't help for these smaller vessels, which will be incredibly detrimental to the recreational industry in particular and the commercial industry, if it doesn't help, first of all I know I understand it's difficult to measure.

But if it doesn't help, does it sunset? Can we go back? Because it doesn't look like.

MR. BROOKS: I want to (inaudible) here. Go ahead, Eric.

MR. PATTERSON: Yeah. For your first question, the eight documented strikes, that's since 2005. And to your second question, there is not currently in the proposed rule, there was not a sunset provision put in. I'm not going to speak about entanglement because that's a whole other issue and there's a lot of complications

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there.

But yeah, in terms of the vessel strike rule, there would not be a sunset built in. However, there is nothing that ever stops an agency from rescinding rules, and I also will note that based on the data we have, we do think and believe in our analysis that we published in the 2021 assessment that the regulations since 2008 until now have been effective at reducing vessel strikes of right whales.

Maybe not as effective as we had hoped. It's really challenging with the amount of traffic, and traffic has constantly been increasing as well and the change in distribution has also really made it difficult to quantify exactly how effective they are. But we do, we have seen, just in straight numbers, a reduction in strikes before or after the rule compared to before.

MR. BROOKS: Thanks Eric. We are coming up on ten o'clock. We've got about six or seven folks who want to get in. I don't know if we'll get all of them, but do you have the

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ability to stay on for a couple of minutes longer, or do you have a hard stop?

MR. PATTERSON: I can stay on.

MR. BROOKS: Okay, great. We'll try to push a few minutes past. I just want to ask folks to be as really succinct as they can, so we can get as many questions as possible. Fly, then Mike.

MR. NAVARRO: How's that. There you go. Thank you very much for your presentation. My question is very simple and very quick.

I know we're starting to see that there may be a problem with whales and some of the wind farms up in the Northeast, and my question is are -- is there a study right now with right whales and these wind farms, or are you planning to do some kind of study, to see if there's kind of -- any kind of interaction with the whales and the wind farms?

MR. PATTERSON: Yeah, great question.

Thank you. Yeah, so far there has not, there's no robust evidence that suggests there's a problem, but it's certainly something we're

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concerned about, and we are working closely with our partners at the Bureau of Ocean Energy and Management on this issue.

I'll just say that maybe the best thing to do would be to point you to a NMFS and BOEM have a strategy out, a draft and the final should be coming out soon, where we talk about how we're dealing with this issue. There are lots of studies that are ongoing. Some are being conducted by the federal government, but there are also a lot of other studies.

For example, Duke University has a big grant from the Department of Energy called Project Wow, where they're looking at the impacts of offshore wind. So yes, it's certainly an issue that folks are very interested in looking into. There is a lot of uncertainty with it unfortunately, but it is definitely a concern.

MR. BROOKS: Thanks, Eric. There's a comment in the chat which I think your comment, your remark just covered. "So as to Fly's point, you have more dead whales from non-strikes. How are we to believe that strikes are killing more

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than wind?" I don't know if you have anymore you want to say to that.

MR. PATTERSON: Yeah. All I can say is there's no evidence to suggest that wind is killing whales.

MR. BROOKS: Thanks Eric. Mike.

MR. PIERDINOCK: Good morning and thank you for your presentation. Just some clarity into two minor matters here that with the length restriction, is that length overall, or is that the waterline length? I'm just curious if it's one or the other.

Then with the search and rescue definition, if we're on the water and there's a boat that's going down and on fire that, would that then apply to us, rec for-hire or commercial vessels to respond, obligated to respond if they see a fire or a boat going down and needs assistance?

Does that fall within that definition, and also the, you know, Towboat US and the different type of companies that go on rescue. Do they also fall within that definition? Thank

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you.

MR. PATTERSON: Yes. So I think to the second question, yes. I would have to cross-check with my colleagues in law enforcement and general counsel, but generally speaking if there's threat to human life, then there is an exception in order to address that.

So I would think that it would apply to all those. I'm not sure we can specifically spell out which vessels. I have to double-check.

But that's a really good point and I can certainly consider that and bring it back to the team as we look towards taking final action. Those types of situations should be covered.

In terms of your first question, I believe it's length, overall length.

MR. BROOKS: Thanks. Matt, let's go to you up here.

Mr. DAVIS: Hi, thank you. Matt Davis, Maine DMR. Yeah, I just have a quick question on page 13. So when it comes to NOAA Fisheries determining a 50 percent likelihood the whales remain within the zone, I was just curious

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what, what does that decision look like and how much transparency is there behind that decision?

Also, thank you for -- thank you for the good presentation.

MR. PATTERSON: Good question. So that, the way the rule is written, the threshold is that 50 percent. But the exact mechanism on how we determine whether or not we've met that 50 percent is not built into the rule, in part to allow flexibility for updated science and new information.

So I cannot tell you right now exactly how we will go about determining that. We're in the process of doing those analyses at the moment. But I will say that that would be publicly transparent, essentially here are the analyses that demonstrate that we have found 50 percent or greater chance that whales will remain in the zone when it's active.

There will be published protocols that we would be following to do that, and they would be adaptable to different data streams. Right now, we're looking into passive acoustic data,

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we're looking into individual sightings data, we're looking into tabbing data. As new methods come online, we would use the best available science to assess whether or not whales are likely to be present.

So that would all be publicly available and be made available at the same time any DSZ would be declared. Hopefully that helps.

MR. BROOKS: Great. We've got two more folks with questions, so we'll tick through those and let you head off and shift to enforcement. Let's go to John and then Marty, we'll give you the last word.

MR. DEPERSENAIRE: Good morning Eric. Thanks for the presentation. I have two questions. First on page or Slide 6, I think that's really fascinating, kind of showing that, that male calf kind of moving up the coast. I was curious if that was sort of a derivative of taking retrospective tracks from the whale and vessels, and then producing that animation, or was that done real time?

If it was done real time, has there

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been thought about expanding that to say a larger percentage of the population or even just targeting the females to capture the female and the male in that type of work?

And then my second question was on page 12 regarding the eight strikes for vessels under 65 feet going back to 1999. It wasn't included on the slide, but could you just say how many of those strikes occurred in the existing SMZs?

MR. PATTERSON: Okay, yeah sure. I might have to ask for you to repeat the second one. I'm not sure I totally grasped all of that.

For the first one though, now this is retrospective. There was a tag on a whale, and then of course, vessels are pinging their AIS and after, after we got those data years later, we produced this graphic.

So this is all retrospective to illustrate the traffic and sort of just look at how it might, how it might be perceived by a whale. But to your point yeah, there is definitely interest in trying to do more real

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time monitoring of right whales, that we could then use to alert mariners that there's a whale in the area.

That's part of the reason for the mandatory dynamic speed zone program. Congress passed some recent legislation last year as part of the NDAA, to have NOAA Fisheries invest in this further and look at that and with recent IRA funding we are doing that. So we are trying our best to increase near real-time monitoring.

I'll note that tagging individual whales as is done here is challenging, and there are also health implications and concerns. So we will not be in a place where we can tag every single individual or even all the mothers and calves. There's of course extra concern with tagging calves.

So that's not necessarily going to be a great solution, but overall the concept of trying to better monitor where whales are and alert mariners to that is something we want to continue to improve on. I'll also note that it really depends on the vessel that you're talking

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about, right?

So larger vessels, regardless of whether or not we alert them, they can't take evasive action. So for the smaller vessels, that's an appropriate way to try to avoid vessel strikes. But for the larger vessels, the predictability of a slow zone is probably better for them for implementation.

And your second question, can you remind me? That was about whether or not the strikes occurred in seasonal management areas or not?

MR. DEPERSENAIRE: Yeah. I was just curious if you could just clarify how many of those nine strikes going back to 1999 for vessels under 65 feet occurred in the existing seasonal management zones.

MR. PATTERSON: I would have to double-check. I'm not sure, although I'll just note that I'm not sure the answer is all that informative, because vessels in those zones were not -- the vessels in those size classes were not restricted to speed restrictions at both times.

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So they could be going any speed. But I can try to get back to you with the exacts on that, or I will look it up during the break --

MR. DEPERSENAIRE: Yeah, yeah. No, I appreciate that. But I do think it's relevant in the sense that, you know, if we're looking at expanding those seasonal management zones through the proposed rule, I think it's important for the group to understand that most of those strikes have been occurring within the existing areas that are in place since 2008.

So regardless of whether the vessel was going 10 knots or 30 knots, just the location I think is important. Thanks.

MR. BROOKS: Thanks John. Marty, give you a quick, quick question here.

MR. SCANLON: Well first I want to back up a little bit and say thank you to Erin for finally getting the Appeal TRT plan implemented, as opposed to -- in regards to this, I think it's time that, you know, AIS requirements, you know, include vessels from 35 feet above as opposed to the current 65 feet.

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I mean that would not only help this issue, but it would also be a safety at sea and rescue help to the Coast Guard, in dealing with those vessels. I mean I'm shocked that any vessel would leave the coast at this point with the cost of an AIS and not have it on your boat. So I mean it's very minimal cost.

The other thing I want to bring to your attention is there would be a big difference in vessels that are operating in those areas with or without keels, you know. A boat with a keel that would strike a whale would have, you know, less of an, you know, an impact on the whale as far as the prop being able to hit the whale.

And also it would matter whether or not the boat, the vessel was single-screwed or multi-screwed in that same regard. I don't know how you would, you know, but that would -- that would make a big difference.

MR. BROOKS: Thanks, Marty. Eric, you want to weigh in on that at all?

MR. PATTERSON: Real quick on the AIS requirements. Agreed, and we have had initial

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conversations with the Coast Guard. That's a Coast Guard regulation as you're probably well aware. So but we agree that adding the vessels that are a smaller size class would help with human safety, and also would help us track this issue and better understand the risk.

For now, for the smaller vessel size classes, we rely on what data are there. As you mentioned, they're fairly cheap. So there are quite a few vessels that are carrying them these days. But whether or not that's representative of the full population of vessels out there and the traffic patterns yeah, anybody's guess.

On the latter point yes, all good points. There are of course differences in terms of strike risk. Some of the modeling that we've done to, to assess where the risk is does try to take into account various aspects of the vessels involved, although I'll note that a lot of the vessel strikes that result in death are probably blunt force trauma.

And so it may not matter, depending on the vessel, whether or not it hits the prop or

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the keel. Just the sheer impact of blunt force trauma can cause major hemorrhage, breaking bones and so forth. So it depends on the vessel size.

Yeah, all of those things are important. Some of those things we're able to model and try to take a new count. Others, we need more information to be able to do that.

MR. BROOKS: Great, thank you Eric. Good questions. Eric, really helpful presentation. I want to flag for folks in the chat. Pete Cooper put a link to NMFS information on the wind whale question, that this is not a new question. There's a lot of interest in this.

So definitely invite people to take a look at that.

And Eric, to the extent that you're able to follow up on a couple of questions, strike timing, number of strikes that occurred and seasonal management zones, and then there's a question on cost, whether that includes folks who sort of are opting not to go out at all would be great.

If you get any of that in sort of real

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time in the next little bit, well this conversation has gone on I want to drop in the chat, great. If not, I think if you can forward it on to Pete Cooper, we can get it out -- he can get it out to the team. So thanks Tonsera (phonetic). Appreciate it.

Thanks, all right. Let's shift a little bit late, but I think we'll fine, on time, to the Enforcement Update, and I want to invite Katie Moore with the Coast Guard and Miles Dover with OLE to come up here and they are both in the room. So thank you both for enduring this meeting a little bit longer.

(Pause.)

MS. MOORE: Good morning. It's nice to see you in person. Katie Moore. I work for --

MR. BROOKS: Hang on folks. Folks. Go ahead, Katie.

MS. MOORE: All right, Katie Moore. I work for the U.S. Coast Guard and I'll be giving you a presentation of our enforcement and policy efforts.

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So I use the same standard format every time, so that way if I'm not here in person, then you're not starting from scratch and you still get a copy. You can also compare versions from year to year, because I know some of you are very interested in the increase in effort, decrease in effort, increase in impact and so forth.

So what I go over is I tell you what effort we've expended, what are those results, and I focus both domestic and internationally, and I talk about our efforts on the water as well as our policy efforts off the water.

For those of you who aren't aware, the Coast Guard has 11 missions, two of which involved fisheries. So it's our domestic fisheries and other law enforcement. The "other law enforcement" is primarily focused on ensuring foreign fishing vessels don't illegally come into our waters, and in international waters, that we adhere to international fisheries agreements and restrictions.

The effort that we expend domestically

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is reflected here. It is a decrease from last year, which was a decrease from the prior year. This is a reflection of what we are doing in our U.S. waters across all fisheries, and I wanted to point out that this year was exceptionally hard for us because we had a large illegal migration event occurring in the Caribbean that drew down a lot of our staff, as well as Coast Guard assets.

So that was our aircraft, our ships and our small boats. So that did impact all missions, and that is a large underpinning as to what I'm reflecting today. So luckily it's looking like that's getting better, and we're going to get back to normal. But that's a big explanatory as to why our resource hours went down, and that drew a lot of our staff from the fisheries enforcement mission.

So to compare the number of HMS boardings to prior years, you can see that we had a large reduction. So this is information through August. I provide information on a fiscal year level, so you can see that we had a substantial decrease in the Northeast, which is

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our District 1.

When I asked them why, it was a combination of the illegal migrant threat, that they had to source with their staff, and even if they had the boats accessible, they didn't necessarily have the right number of staff with the essential qualifications to do fisheries enforcement.

In the Mid-Atlantic, which is New Jersey through North Carolina, we're relatively stable compared to last fiscal year. And then in the Southeast, not great but pretty comparable to fiscal year '22. And then in the Gulf of Mexico, which is our District 8, what they said was the same issue with regards to staffing, but also they had fewer boarding targets in operation. So they didn't see as much HMS activity on the water.

I do want to note that when we do a boarding, we can only claim it as one single fishery. So if someone has multiple permits, we list the boarding as their major fishery. So if they have bycatch which is HMS, that's not

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reflecting as an HMS boarding. So in the Gulf of Mexico, most of the fishing they saw was red snapper. So I wanted to be straight up with you.

I would love for these numbers to be greater.

I did want to say we did not have any significant fisheries enforcement cases that were detected between April and July.

Now in regards to the foreign fishing vessels that come into U.S. waters, we could have that anywhere in the U.S. But we typically see it on the maritime boundary line from Texas to Mexico. So you can see that we have an increase in the number of detections this year, and there's three categories.

Detections is when we see either that a Mexican fishing vessel had laid out gear and the vessel's no longer there, or we see the vessel that is operating without gear stowed. So those are the two events. This year we're partnering with other Department of Homeland Security agencies, so our eyes on the water are greater because we can use some of their technology.

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So this isn't necessarily reflecting an increased threat, but it's increasing in increased posture of what we're seeing out there.

So interceptions is pretty stable. Interceptions is when Coast Guard asset is on the water and we are with a Mexican launcher. So we're on scene and we're essentially in a pursuit.

And then interdictions is when we actually stop them and we seek. So it's them. If they had any catch we take the catch. We repatriate them back to Mexico and we collect the intelligence from themselves, as well as their gear on where they've been, what are the economic situation, who is the boat owner, and that's an end game interdiction.

So the interceptions and interdictions, that's where we measure our success, because if you sit and watch and you have more eyes on the water. Okay. We know that the Mexican threat is more than 200 incursions a year. We don't see everything that comes in.

So interdiction rates continue to be

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at a very big high compared to the last 20 years, so we're pleased with that. We anticipate having this interagency additional eyes on the water through next year. So we appreciate that partnership.

I talked to you about the foreign fishing vessel activity that is on the high seas.

So the Coast Guard, we are near shore all the way out to the Seychelles. So currently we're working off of Canada on Northwest Atlantic Fisheries Organization. We had a patrol on South America. So we are very spread out, and this HMS fishery is one that you're usually very interested in knowing what we're doing on the high seas.

So last time I reported, I told you we didn't have the information from our January patrol analyzed yet, so that's what I'm reporting on now. There was no activity, no detections from April to July of high seas fisheries threats that were actionable.

But in January, we patrolled off of South America, and we saw two fishing vessels to

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which they did not have -- they were not compliant with the ICCAT vessel registry at the time.

They were both flagged to Trinidad and Tobago, and they had gear capable of HMS fishing.

So we worked with NOAA International Affairs to reach back, to decide what was the best way to address this issue. Trinidad and Tobago came back into compliance. They were with that window of time that ICCAT allows to become compliant from the vessel registry perspective.

So we were on the water, we were collecting information. It was an overt engagement. So we feel comfortable that countries know that we're out there. Our eyes are open and we're doing what we can to help enforce ICCAT to the degree we can.

Now ICCAT still does not allow high seas boardings unless you get consent from the flag state. If the vessel is stateless, that's totally different. But this was flagged to Trinidad and Tobago, so we were just in a vessel sighting and information collection posture.

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I wanted to let you know we continue to be very active off of Western Africa, and this -- we had an 88 day patrol earlier this year, and that was with multiple partners party to ICCAT. So I wanted to let you know that we are helping other countries become more capable to self-enforce the ICCAT provisions in their own waters.

So this patrol, we had a combination of capacities. So when you have a ship rider on board, it's another country using their authorities to board a fishing vessel, and we're essentially a taxi. We augment their boarding team. But they use their authorities. Observers are those to which you don't have the authority to board, but they're on board and they learn how we do business, learn our technology and then they can take that back.

So it's a growth in posture either between the two governments or their own capacity to know how to do the fisheries enforcement mission. So we had Sierra Leone. There were no targets at the time for them to board, but between Senegal and The Gambia, there were eight

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boardings conducted, two of which resulted in written warnings.

It involved some net, double net issues as well as vessel documentation. So since those are done under ship rider, it's the foreign government's authority to document it and follow up through the RFMO ICCAT, should it be an HMS issue. So observers, they just watch, no paperwork. And then we conducted many port visits.

So it showcases the types of tools you can use for fisheries enforcement, hopes to encourage their participation and ultimately gain more capacity to address the HMS issues as a whole, and not just in U.S. waters.

So here's just some samples of pictures of us abroad, and this has been a growing interest area for the U.S. Coast Guard over the last couple of years. I won't say it competes with domestic enforcement, but I will say that it is gaining more resource hours and the pot of resource hours is not growing.

So that's what I balance, domestic and

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international, and I hope you can see how all of it ultimately helps HMS. So another picture, and this one is The Gambia. So from a domestic standpoint, we continue to board all components of the fleet. So recreational charter headboat, as well as commercial.

That is our guidance. If you have a federal reg in place, then you're eligible for boarding. We know that all facets of the fleet experienced impact to your fishing, economically, time-wise, and I would say no one likes the inconvenience. But we hope you see it from a safety perspective as well.

So we continue to look at this fishery compared to other fisheries as a high precedence fishery. We put fisheries into three tiers, high, medium or low, and HMS continues to be high across all three components of the fleet.

So some of the criteria we use for that is the value of the resource, the -- are there any bycatch issues, especially if there's protected resources, economic value of the resource and if it's of high regional interest.

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So internationally, we continue to be very active. In the past you've asked who do you work with and why did you pick those countries, and it was largely based on Department of Defense priorities, regional stability, and we would throw in fisheries enforcement on top of it.

But lately, we have been working with the U.S. Interagency to strategically identify relative priorities of regions. Western Africa continues to be of the highest priority, and we also prioritize which partners we would like to work with. So out of my region we have Senegal and we also have Taiwan as key partners.

So I wanted to explain that process a little bit because you asked, and it's a great question. Coast Guard has a counter IUU implementation plan, as well as my Command has one as well. I folded in domestic so people didn't lose that aspect, and protected resources, because it's easy sometimes to focus only on one component of the fisheries management issue, and I see this as broader.

Also we continue to work towards

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implementing the Mexican fishing vessel port denial. We have not seen any indications that vessels have wanted or attempted to come into port. That was based out of the negative certification from Department of Commerce.

So we're busy. We continue to be active on ICCAT. Next week we have a seminar where the U.S. is co-sponsoring to try to build understanding of high seas boarding inspection schemes, ultimately with the goal to encourage the 52 countries to agree to pass a high seas boarding inspection scheme for ICCAT.

That would give us boarding authorities across all of those countries, rather than having to get individual agreements with every flag state, and each one of those can take about five years.

So other efforts are we continue to build that law enforcement capacity. We do road shows with countries. That's been very active in South America. We have a mobile training branch do on-scene, week-long training that is -- it's bouncing everywhere. We've been to Kenya, they

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went to Haiti, and we also do joint patrols.

So we were very pleased that we had the head of the Taiwan Coast Guard come in June, and they were committed to working towards our bilateral ship rider agreement, which would give U.S. Coast Guard the ability to go on their vessels and assert U.S. authority, and they could come on our vessels and do the same, because they would help them to do enforcement in the Atlantic without sending a ship to the Atlantic. They would come on Coast Guard vessels.

So we're doing all this. It's really busy. I heard a couple of questions I just wanted to hit real fast. I did receive from the Greater Atlantic Region some feedback that there was monofilament HMS recreational gear that was of an entanglement to a humpback whale.

And so we issued a broadcast notice to mariners, to help educate the threat. So that wasn't something Coast Guard was on scene and saw. I can't tell you if it was strategically deployed or if it was ghost gear, bycatch, I don't know. But I've been told this happens

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annually, and so when there is a situation where there is fear that there is user conflict, gear conflict, please call.

You can call me. You can call this 24-7 phone number. It is the Atlantic Area Command Center. You can contact Channel 16. I will say that there is some judgment used if there's negligent operations, and there has to be endangerment to life, limb or your property.

So if someone feels a certain way and the other person doesn't see it, call the -- call the Coast Guard and do it in real time, and that will help us provide safety at sea as much as we can. We don't want people taking it into their own hands. But I have heard your concerns, and I'll follow up with Brad to receive any information as to the hot spot areas where this may be occurring.

So I talked to you about HMS, but Coast Guard is very involved in the whale issues.

I'm on two teams for right whales, and if you ever want to know something that Coast Guard is doing beyond this, please contact me, phone or

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email and I appreciate your hard work. Thank you.

MR. BROOKS: Great, and let's -- I know we've got some questions. But first let's hear from Miles with Office of Law Enforcement, and then we'll open up for questions. Fly, is your card left over? Okay.

(Pause.)

MR. DOVER: Good morning everyone. Officer Miles Dover, Southeast Division, NOAA Law Enforcement. I'll be giving you the HMS Update. Thanks for having me here. I've been online with you all of the last few meetings. This is the first one in person, so thank you for having me.

Since May or since the last meeting, this is a little HMS snapshot. Right now, we had 28 incidents that are open and ongoing investigations that are going on right now. We've had ten incidents that we're doing compliance assistance on.

Sent out seven summary settlements, and these are dealing with HMS. This is not across the board, all the boardings and

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everything that we did. These are just HMS that we've done.

We've had five written warnings, five cases that have been sent to General Counsel, and we've had four incidents that are involving observers on HMS vessels.

Just some snapshots of stuff that has closed that we've sent up. We had an \$11,000 Notice of Violation that was done by General Counsel on a vessel out of Louisiana for possession of 95 sharks without a limited access permit case. Ended up settling from General Counsel for 6,400. A \$2,000 summary settlement was issued to a recreational fisherman in Florida for the landing of a giant bluefin tuna without an HMS permit.

\$1,400 summary settlement issued to a recreational fisherman out of Puerto Rico for fishing in closed areas and possession of prohibited Caribbean reef sharks. \$1,000 summary settlement was issued for undersized yellowfin and big eye tuna to a pelagic longline vessel, and a \$750 summary settlement was recently closed

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for the possession of two blue marlin during a charter trip, which they took both blue marlin and had them on the boat when they came in.

OLE has been present at a bunch of the HMS tournament. Big Rock, Big Rock Kids, Pilot's Cove. The Ducks Unlimited Vanderbilt Fish Tournament, White Marlin Open, Swansboro Rotary. We've been down at Alabama's Deep Sea rodeo, Lone Star Classic, Texas Women Anglers Tournament and Port Arkansas Open.

We try to get the guys out there to a bunch of the tournaments. It gets us seen by the public, and it gives us the opportunity to answer a lot of questions for me, especially the Big Rock. I talked to thousands of people it seems like that day at the Big Rock Tournament. But to get us out and get us seen, know we're participating in HMS.

We've had officers that have been present at 15 public hearings. Most recently in (inaudible), I was there when the hearing was happening, and we'll be there for upcoming hearings also.

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Been doing a lot with HMS, trying to get the guys that -- and this is mainly from SED. My counterpart from NED that wanted to be here but he couldn't because of the operations that are going on, and he said he would give his brief too.

But trying to do as much as we can with HMS. Me personally, I like working HMS more a lot, so it's kind of a little quick snapshot of what we've been doing, and I'll take any questions.

MR. BROOKS: Great, thank you both. If you would hit that mic for just a sec. Great.

Let's see what questions folks have. We've got about ten minutes before we're going to the break. I'll start off with Esther, then over to David, and then I'll grab some of these other ones.

MS. WOZNIAK: Hi everyone. Esther Wozniak with the Pew Trusts. Thank you Katie for that really interesting presentation. As you were going through it, I was wondering to myself I'm just hoping that you guys would be sharing

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this with the folks in VIGO (phonetic) for the HSBI seminar, because coming out of the ICCAT IMM meeting, it seemed like there were quite a few countries who were a little bit confused about how the high seas boarding inspections team would work for, for all the ICCAT members.

And so to that effect, my question is is there any effort to target those countries who are pushing back, because it's really just a handful? I know you talked about workshops and road shows. Is there any effort to have that with those countries, so that they can maybe get a better sense of what this scheme will look like and hopefully get on board?

That's question one, and then the second one is for the interdictions. You had talked about that. Is any -- I realize some of the data might be sensitive, but is any of that information accessible online anywhere in any form, even if it's like in aggregate format?

MS. MOORE: Thank you. So ICCAT has 52 countries, and they come together and they try to make progress, and because it's diplomacy, it

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could be a yes one year and then it's a no the next year. So at the June meeting, we just came off of a patrol with Brazil observers, Uruguay and Argentina.

So we were thinking yeah, Brazil's on board, right? And so we knew Uruguay from last November had voiced some concerns, and it was about capacity, lack of capacity. And so when we went into that meeting, we in our mind already thought who the folks would be with the most reservations, but then new ones pop up.

So it's frustrating, but we did hear Belize had concerns about capacity and wanted to come on board as an observer on a Coast Guard asset. That would make them feel better. So we just got approved a Tradewinds. That's a whole program in the Caribbean that showcases capacity and fisheries is now a component of that. It was hosted at Belize this summer.

So we try to pick and choose, trying to figure out if people are honest and straightforward, as to who has reservations, and then within our partners, we look at who's most

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capable and who has the best relations to try to address that. So this high seas boarding inspection seminar is in coordination with the EU, the UK, Canada and ourselves.

So every time we hear someone who may have reservations, we pull together and we say hey, are you going to see them? You know, do they like you more, can you -- can you do something? So yeah. So Coast Guard had Brazil, and we had Belize on our list that we would try to further, through our own existing relations, because we've already done a patrol with them and exercises with them.

The second thing in terms of interdictions. We do supply that data to NOAA Fisheries for some annual report. So I'll look into it and see what was last published, but we just got another request for data. So on an annual basis, there is a report that comes out with those numbers, and I can provide it back to Peter, to see how to get it best to the group.

MR. BROOKS: Great. Thanks, Katie. I've got about seven people in the queue, so

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again if folks can be focused, appreciate it. Let's go to David and then over to Raimundo.

MR. SCHALIT: Thanks Katie for the presentation. This is a somewhat technical question. The CFV inspection, to which all commercial vessels must submit, was greatly expanded about seven or eight years ago to incorporate many more vessels than previously inspected, and this created a workload problem for those people who do the inspections.

So my understanding is that the inspection interval was expanded from two years to five years. In other words your sticker expires after five years. However, in my experience and our experience, we've had various -- we had information from Coast Guard inspectors along the Northeast, in the Northeast area, where they were actually recommending shorter intervals of -- for inspections.

And I'm kind of looking for a definitive statement from the Coast Guard, partially in order to clear the air of these, you know, of this -- this information, conflicting

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information, but also because we see that the insurance companies are not necessarily in line with Coast Guard policy, in the sense that they may be looking for a shorter interval than five years.

It's something of concern to us because if we make a claim and perhaps our vessel hasn't been -- is being inspected according to Coast Guard requirements but maybe not according to what the insurance underwriters are asking for, there could be a problem. So that clarification would be appreciated in an email, you know, no problem, to us. Thank you.

MR. BROOKS: Thanks. Thanks, David. Raimundo.

MR. ESPINOZA: Yes. Thank you both for your presentation. My question is specifically about the reef shark in Puerto Rico, and if there's any more details you could share with that, or is that something we would need to do a FOIA to get anything available? And the reason I ask the question is because through the panel, myself and the previous member of the

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Caribbean Council, Marcos Hanke, we've been trying to see if we can get further collaboration from the Department of Natural Resources in Puerto Rico, to have better federal consistency with HMS regulations.

Because on the HMS recreational side, in the Puerto Rico fishing regulations it's very clear that those apply in Puerto Rico waters. However, in the same regulations for the commercial side for HMS in Puerto Rico's jurisdictional nautical miles, it's not -- there's been a lot of issues with that and how that's interpreted, because it doesn't say --

It says these laws, these regulations apply, and the HMS applies in federal waters. And for the recreational side, it says these letters or these HMS regulations apply in Puerto Rico waters. So those words are missing on the commercial side.

And so it's really interesting to see that Coast Guard is having to take action on reef sharks, Caribbean reef sharks because it's actually one of the sharks that's most popularly,

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or one of the most popularly caught sharks and commercialized in Puerto Rico. It is a very small sector, but it is one that's very present.

So I was wondering if there's any more information that could be shared with that.

MR. BROOKS: Thanks Raimundo. Jeff.

MR. DOVER: Yes. Good morning. The cases that are presented on here, they haven't -- they're cases that have been closed or are in? They are ones that I don't necessarily have. Like I've had to get into the case management system. I don't have it in front of me. It's just snapshots from all of our guys.

I'm stationed in New Bern, North Carolina. I've talked to the guys, like who's got cases that have been closed that we can put out there. If you do the request, then they'll get you the information. I don't have it right here in front of me, just because it's our guy in Puerto Rico and I'm in North Carolina. I'm just the representative to come in to give this brief to you.

MR. ESPINOZA: Yeah, thank you Jeff.

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I was just wondering if you had them, but thanks again. And so I'm going to make the request that goes out to HMS, to see if we can continue requesting Puerto Rico Department of Natural Resources, to see if we can improve the language so that there's more consistency, or so that at least it's clear on what is legal or not in Puerto Rico's waters for the commercial fishery.

MR. BROOKS: Thanks Raimundo. All right. I'm going to suggest that we go about five minutes over, if you both can stay for an extra minutes or so. So let's see if we can squeeze in the last few questioners here. Jeff.

MR. KNEEBONE: Sure, thank you so much. Jeff Kneebone. Just a clarifying question for the OLE presentation. For the Southeast Division, are these 28 incidents restricted to basically south of North Carolina? That's Question 1.

MR. DOVER: Yes. The presentation I gave was my presentation for the Southeast Division, Southeast Division stretching from the North Carolina-Virginia line, all the way through

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South Texas. So that's where our division lies.

MR. KNEEBONE: Okay, great. I'll be interested to see the similar data from the Northeast, and I have just a question randomly that I can ask the both of you. Have you seen any of these incidents related to shortfin mako harvest? Just I'm doing a tagging study. We've tagged 38 animals and two of them have been harvested by recreational fishermen within the last year when the species was -- when the fishery was closed.

So I'm just curious if you've seen any specific shortfin mako violations. Thank you.

MR. DOVER: Personally in my jurisdiction in North Carolina, I haven't run into any mako shark violations. I'm not going to say that they're not out there, but I have not personally seen them, no.

MR. BROOKS: Thanks. Mike and then Peter.

MR. PIERDINOCK: Thank you Ed. Thank you both for your presentation. I'd just like to get some details about the monofilament gear.

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MR. BROOKS: Can you get closer to your mic.

MR. PIERDINOCK: I'd like to get some details about the monofilament gear entanglement and where exactly that took place, and then I have a follow-up question.

MS. MOORE: So the information I have was a request for protected resources at GARFO to put out a broadcast, and they said that there was a humpback whale that had monofilament gear on it. And so I said just tell me what you need us to broadcast. So it wasn't an incident to which Coast Guard detected in the incident. So we just acted in an educational capacity.

But what they had relayed was this is typical and it's happened in the past, and they thought it was associated with the HMS rec fleet.

So that's all I know. I don't remember doing a broadcast last year on it. So in terms of was it just accident, was it ghost gear, was that really clear evidence. It was associated with that fleet, I don't know.

So from an enforcement perspective, it

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was nothing for us to take action on, just educational. So I do know that NOAA is great about whatever gear they collect on whales, entangled whales they try to keep it for case evidence purposes. But whether or not they can make a case, that's totally different.

MR. PIERDINOCK: Thank you. I'm happy to hear that, because it's up that neck of the woods. It would be curious and it could be some follow-up of how it's concluding that it's recreational gear. It could be commercial or it could be from Canada. We don't know whether it's, you know, an actual U.S.-based. So thank you for that clarification.

One last question is is that your boardings down in the Gulf of Mexico or in U.S. waters, as well as in international waters, with those boardings and you're finding or assessing fishing compliance, how many of them also have issues with undocumented immigrants, gun running, drugs, things of that sort, or is that typically not going on with those type of activities?

MS. MOORE: Well, I'll give the boring

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answer, which is when we go on, we check for everything. So safety, warrants, drugs, either possession or you're under the influence, and honestly I focus on the fisheries part of it. So I can try to be more mindful of that when I report to you in the future.

But I will say typically in the Gulf of Mexico, we are -- we're cognizant about the vessel crew manning requirements, U.S. versus foreign nationals on board. That's not deemed a fisheries issue in terms of fisheries enforcement. So I'm aware of it and that tends to be the hot spot.

With the Mexican launcha issues, there's always been concerns that wherever you have this type of activity you can have other illicit activities, being not just collecting fish but human smuggling, drug smuggling. But I don't report that here. So I will say that our eyes are always open, and in future reports I can try to be more mindful if I feel like there's something that's a hot spot general law enforcement issue that you should be concerned

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about.

But at the same time, the large majority of incidents are from a safety perspective, in terms of lacking safety gear. And we voyage terminations based on that, and then they will also say well, they had this much cash on board. But they were legal on the fisheries side, because they had their permits.

So those are the two Coast Guard missions that tend to be most frequently linked for fisheries enforcement cases.

MR. BROOKS: Thanks. Peter.

MR. CHAIBONGSAI: Yeah, thank you for the presentation. I'm just looking at Slide 5 in terms of the enforcement and being present at some of the HMS tournaments. That's literally all throughout the East Coast and Gulf of Mexico. So that's fairly far spread. Do you guys anticipate or want to, I guess, or have the capacity to go to more of these events as well, considering how wide --.

MR. DOVER: Yes sir. It's -- since I've come along personally, and a lot of those

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that were in North Carolina, because I like being at the HMS tournaments because it's a good public outreach. It gets us out there and we're able to communicate with the community, plus do the HMS work while we're there.

My other counterparts throughout the U.S. as you can -- or throughout the Southeast, as you can see on the list, have started going to more and more of these tournaments. And we're seeing more and more tournaments pop up that are not the traditional Big Rock, Blue Marlin/White Marlin Open.

There's a lot more tournaments that are doing HMS, especially in the Gulf now. So we're trying to visit them, make sure that they're in compliance, that they're registered, that all their boats have their HMS permits, trying to be as visible as possible. So as the tournaments come up, especially for me in North Carolina, if I'm available I want to try to be at that tournament, at least a few of the days of the tournament to be there.

MR. CHAIBONGSAI: So does that mean

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typically you guys are there for the duration, I mean for at least the majority of the days, or just the duration of the event itself?

MR. DOVER: I will just use the Big Rock Blue Marlin Tournament as an example for me.

As the tournament was going on, luckily that tournament is broadcast, so you can listen to the tournament. I did not stay there for the entirety of the tournament, from the time the, you know, the com station opened in the morning til the end.

I would usually typically be at the weigh-in for that one, wait and hear if there was a blue marlin being brought in. Be there for the weigh-in or about an hour before the weigh-in, through the weigh-in and til pretty much til that closed down. That gave me a good opportunity to talk to the public, make sure that -- the weigh masters for those big tournaments have pretty much had everything handled anyway.

But just in case that I needed to be there, and it gave me a good opportunity to talk to the public and people asking questions. You

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know, what does NOAA do, what (inaudible), that sort of stuff.

MS. MOORE: I would say Coast Guard had an interest this year in the Gulf of Mexico to do more pulse operations in those tournaments, and when they're pulse, that's not a consistent the whole time posture because we don't want it to be, you know.

But we did encourage that the Coast Guard enforcement agents speak to the tournament directors, to encourage boardings and to explain why we're there. So I haven't seen or heard there's comparable need or interest elsewhere, but we leave that at the discretion of the local folks. But that was the one that we have done this summer in the Gulf of Mexico.

MR. CHAIBONGSAI: Thank you.

MS. MOORE: Thank you. But I would say if anyone ever wants to help ease enforcement into these activities to help explain why we're there, we'd love your connections to help translate it, because we want people to have a good time and not impede their ability to fish.

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MR. BROOKS: Okay. We've got a couple of folks left. If we can do this in about four minutes, try to squeeze you all in. Tim.

MR. PICKETT: Yeah. I'm going to be very, very quick. First, a quick clarifying question. Katie, you had said something about this Taiwanese collaboration. Is that just an under ICCAT and in the Atlantic thing, or is that -- that's --

MS. MOORE: Taiwan Coast Guard, U.S. Coast Guard, worldwide.

MR. PICKETT: Okay.

MS. MOORE: Not specific to HMS fleet or ICCAT, and they're -- they're weird because it's Taiwan. They're not a contracting party, so we often have to go through channels versus direct on those.

MR. PICKETT: Okay, and just a kudos to law enforcement for the, for that illegal bluefin stop in South Florida. That worked in terms of increasing awareness and in, you know, in time what permit do I need to have and, you know. I mean that's a very good thing. So kudos

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to you guys on that, you know. It raised a lot of eyebrows for people and made people tighten up so --

MR. BROOKS: Thanks Tim. Marty.

MR. SCANLON: Yes Katie. I simply want to thank you on behalf of the PLL fishery on your efforts on -- to combat IUU fishing, and also on all illegal fishing activity. I also want to thank you in general for your presence on the water, especially as I sit southeast of Cape Hatteras in a graveyard of the Atlantic in the dead of winter.

It's very reassuring to see a cutter or your presence there, knowing that if I have trouble that you would be there. So we certainly appreciate your presence on the water.

MR. BROOKS: Thanks Marty.

MS. MOORE: Wow.

(Laughter.)

MR. BROOKS: And this meeting is recorded. Willy.

MR. GOLDSMITH: Yeah, thank you.

This question is for Miles. First off, just to

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reiterate Jeff's comment. It would be super-helpful at the next meeting to have a coast-wide picture, seeing what's going on up in the Northeast, the Mid-Atlantic and in addition to the Southeast and the Gulf. Oh well. My other question is --

(Pause.)

MR. GOLDSMITH: All right, there we go. You had mentioned compliance assistance, and how around ten of the 28 cases involved compliance assistance. As we often talk about in these meetings, both the angling and charter headboat categories are required to report any harvests and dead discards of bluefin tuna, swordfish and billfish. In general and harpoon category tunas, permits are required to report bluefin.

In both of those instances, there's a 24 hour window for reporting between when the trip ends and when the reporting is required. I was just wondering to what degree does that 24 hour lag period impede the ability to detect compliance with that requirement and result in

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compliance assistance or any sort of penalty?

MR. DOVER: On the reporting, we use the reporting a lot. If we have, you know, for me in North Carolina, of course, we have North Carolina catch cards and the (inaudible). For to determine how much we use that, the 24 hour for compliance assistance versus written warning versus -- that's on a case-by-case basis. I can't talk to these other guys, cases that went through there, how they chose which to do compliance assistance or not.

But we will use that if we have, if we get word of an illegal bluefin that, you know, that's coming in and use that to say all right, has this fish been reported or not?

Or if you, you know, you see a fish on the dock, because me I have a very robust bluefin tuna fishery in the wintertime, and that's one of those that I see 20 or 30 bluefin on the dock during the day, and then 24 hours later I can go back and say all right, I saw this. Did the boats do their report?

So I can definitely go back and check

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that, and we do check to make sure the guys that we're seeing on the water, all right, we know you have HMS today. Did you report it tomorrow, and we can do it, go back and check on that.

MR. BROOKS: Great. Miles, Katie, thank you both very much. There are a couple of to-dos off of that that I think it sounds like they can be called up on. One was Esther's point. I think just making, making available where that interdiction data is, and maybe that's something Pete can get out, and clarifying for -- from David's question, whether the two or five year inspection is required. Any, any clarity on that would be helpful.

I also want to note in the chat, Eric Patterson has gotten answers to several of the questions that were asked. So please take a look at that on -- that was on the strikes and etcetera. So we've got -- take a look on there, and also on the economic impact question. So please take a look. The answer is no, but before we go to break, which I think we'll hold to ten minutes, you had a quick announcement Randy?

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MR. BLANKINSHIP: I do, and this is related to happenings related to ICCAT and the U.S. process related to ICCAT under the Atlantic Tunas Convention Act, which authorizes or specifies that there be three commissioners for the United States to ICCAT, and one is the federal commissioner. And then there's two private commissioners, one representing commercial interests and one representing recreational interests.

And while the ICCAT Advisory Committee and ICCAT process is really separate from the HMS advisory panel process, which deals with domestic implementation for ICCAT measures and other domestic management measures, we did want to take this opportunity to share the news that there is a newly-designated U.S. alternate commissioner for -- representing commercial interests.

That's Leigh Habegger, who has been with us yesterday and today. Leigh is over here against this wall raising her hand right now. We're pleased that she's here. She replaces Glenn Delaney, who served in that capacity in

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various forms and fashions over several years, and Glenn recently resigned.

So we're glad that Leigh has been with us, and as we break, if you haven't met Leigh yet, please take an opportunity to say hi to her, and she may be around for the rest of the day. I don't know how long she's staying, but I wanted to make that announcement and share it with you.

MR. BROOKS: Great. Thanks, Randy. We are running a few minutes behind. Let's reconvene at ten after, and we'll jump into the Bureau of Ocean Energy Management Update, and we'll start at ten after sharp. Thanks everybody, and thanks again Katie and Miles.

(Whereupon at 10:57 a.m., the above-entitled matter went off the record and resumed at 11:09 a.m.)

MR. BROOKS: All right. So we want to -- before we move to lunch in about an hour, we mostly want to hand the floor over to Bureau of Ocean Energy Management. So Brian Hooker is here, who we all know well from many visits here, and he's also got a couple of folks with him.

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Zach Jylkka will be here, and we may -- perhaps Brandon Jensen as well.

But I think I'm going to leave it to Brian to introduce his team, and sort of introduce the topic. So Brian.

MR. HOOKER: Thank you, Bennett. Again, my name is Brian Hooker. I'm the Biology team lead within the Bureau of Ocean Energy Management's Office of Renewable Energy Programs. Today, I think the request was an overview of the Gulf of Maine leasing process.

I know members are very familiar with this after working through the Central Atlantic leasing process. So the presentation we have today very much follows what you've experienced with the Central Atlantic. Zach will be giving -- Zach is the project coordination, the project coordinator for Gulf of Maine leasing.

If you remember, Bridgette Duplantis had that same role in the Central Atlantic when we were beginning that process. So Zach will be walking through that today, and I believe we might also have another Biology team person who

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you might have met at some of these meetings, who's Brandon Jensen I think is on the line as well, that could perhaps help with any questions.

So Zach, I'm the one that's going to be moving your slides for you, I think, so just tell me when to go and I'll turn it over to you. You good Zach? I don't -- we don't hear you. I think you're moving -- actually I think you are moving the slides.

MR. JYLKKA: I couldn't unmute myself once I was sharing my screen.

MR. HOOKER: Okay, there you go.

MR. JYLKKA: Okay. So if anyone has any issues seeing the slides or hearing me, please speak up. I will go ahead and launch in here. So as Brian mentioned, my name is Zach Jylkka, the Energy Program Specialist in our Office of Renewable Energy Programs, and I'm overseeing the commercial vending and leasing process in the Gulf of Maine. There is also a research lease application process that we're handling and I can touch on that. But my colleague, Luke Feinberg, is leading that effort.

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Today, I'm just going to run through -
- I'm going to try to keep this to about 15 minutes. I'm going to go through our process, what it is and where we are, although it sounds like you've got some good familiarity there from past experiences in the Central Atlantic.

So we'll breeze through that pretty quickly, go through the latest step that was completed, which is the call for information and nominations, and then run through the current steps that we're in right now.

You're probably familiar with this graphic. This is our renewable energy authorization process, and there are four steps here. Planning and analysis is the first step, and that's where we are right now for the Gulf of Maine. That leads to eventually the leasing, which is the next step and kind of included in this red box here.

And then we get to the site assessment terms. That's after you have a lease and a lessee, and begin to investigate the site, conduct surveys and site assessment activities,

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which inform the development of construction and operations plans. They submit that and BOEM begins to review it and deem it sufficient. It's that last kind of phase of the process, which is construction and operations.

So zooming in sort of on that red box, this is just a zoom in on the planning and analysis phase leading up to a lease sale. So we are currently through the first couple of steps.

We've completed a request for interest and a call for information and nominations, and we're in that kind of middle brown box that you can see on the screen there, the area identification step.

We are currently developing these draft wind energy areas. Once we get to final wind energy areas, and I'll share a bit more about that in a moment, that will be kind of the end of the area identification step and the beginning of the leasing document development steps that you can see kind of on the right-hand side of this slide.

This is kind of where we've been in

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the Gulf of Maine. Quickly, you know, we started at a very early and optional step, which is determining an overall planning area to narrow in on, you know, what area are we actually referring to when we talk about the Gulf of Maine. So that's the area that you can see on the screen here.

We then advanced that through a draft request for interest area, which we shared at a task force meeting in May of 2022, and then refined that to publish a final request for interest in August of 2022, or a year ago. And that area was essentially the bounds of Gulf of Maine, minus areas that we don't have leasing authority in.

So we removed the National Marine Sanctuary at Stellwagen, existing traffic separation schemes and the area that was being considered for the research array, which is that kind of rectangle that you can see up kind of southeast of Portland, Maine.

So we then took that RFI area and took all the comments from the RFI and developed a

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draft call area, and you know, we began this partnership with NOAA's National Centers for Coastal and Ocean Science, to help determine the bounds, the boundaries of this call area.

Really what we did here was look for kind of emerging themes and areas that were near consensus within comments from different industries and stakeholder groups on areas that were recommended for removal. So here you see a 20 nautical mile buffer from the coastline included and removed, and areas also removed included groundfish closure areas and habitat management areas, and there was pretty close to consensus from both fishing groups and government agencies, and some environmental non-profit groups to remove those areas.

So that's kind of where we took the draft call area. We then finalized that in April of this year, and made one, one minor change based off of comments we got on the draft call area, and that was to refine the southern boundary of the call area to better exclude Georges Bank.

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That had been our intention and because of the kind of jagged line that we had before, we were still overlapped sort of that boundary. So we redefined it using the 140 meter depth contour, based off of recommendations from the New England Fishery Management Council and NMFS.

So the area on your screen in green is the final call area that we published in April of this year. There was a 45 day comment period, and we received 125 comments on the call, and they represented a wide range of interests. Part of the process for call for information nominations is to get interest from the wind industry and to understand where they think, you know, the most suitable and feasible areas for wind development are, as well as to get additional insight from the public and from other agencies and tribes on, you know, remaining concerns within this very large area.

We left a lot of area on the table at this step intentionally, because as I'm about to explain, we wanted to kind of deconflict some of

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the most obvious spots, but then leave the rest to the analysis to be bolstered by this NCCOS, this National Centers for Coastal Ocean Science suitability model, which was also used in the Gulf of Mexico and the Central Atlantic, to identify areas of highest and least conflict within this green space. So that's what I'm going to be talking about for the --.

So this map again is the call area, but it -- when we published the call, we highlighted some areas that we kind of have heard about the most, that you know, we kind of were aware of conflicts. So that included a ten kilometer buffer off of Georges Bank, the North Atlantic right whale restricted areas, as well as Platts Bank.

But those were not the only areas that we heard about, but just kind of the ones we heard about the most, in particular for comments during the call on those sites.

And basically what we did was we took all the call comments, reviewed them and developed a slide deck and an approach with our

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partners over at NOAA NCCOS, to kind of open up the hatch and explain to the public this summer what exactly we're working with, what data are we using, how is this model constructed, what are the different sub-models and layers we're looking at, and what are some of the preliminary results that we're seeing.

So we did a series of these transparency meetings. The first was with federal agencies, states and tribes in early July, where we walked through that information. And then we did a series of meetings in person focused on fishing communities and you know, the intent there was to again explain what's in the model, how does it work?

We can ask the questions modeled -- we can ask questions of the model to help inform our decisions. So what kind of questions should we be asking, how have we incorporated call comments into the model and yeah, what are -- what are those preliminary results looking like.

So that's all to inform the next step in our process, which is the development of draft

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wind energy areas. So those meetings that we had in fishing communities, just a quick snapshot here. We had three up in Maine, kind of trying to stay on the coast there, Portland, Ellsworth and Rockport, and then we also in New Hampshire met in Portsmouth and then in Massachusetts in Plymouth.

So this is -- I'm going to go through some slides that are kind of a quick overview of some of the content that we covered in those July engagement meetings. Some of you may have listened in or might have been physically present for those meetings, so it would be a review for you.

But I'm going to try to cover some of the NCCOS basics here, and then get into some of the data that we're looking at. This is probably where you're most interested.

So this NCCOS model that we're partnering with them for and developing to use to inform our process, first we develop a large data inventory, which brings in data layers from kind of authoritative sources, government agencies,

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the marine disaster, the Northeast Ocean Data Portal and we have hundreds of data layers within there.

And then we kind of look at those data and prioritize the ones that you think are sort of the best layers to represent different efforts and conflicts within the region of interest. So the model itself has been broken down into a series of sub-models. This is a bunch of wonky terms that I'll be using, so if anyone gets confused with those, happy to come back and explain again.

But there are sub-models within this overall suitability modeling process. Constraints are areas that are essentially eliminated or removed. So if something's constrained, it's being removed from consideration. And then the other five sub-models that you see represent sort of different interests.

So there's national security, industry and operations, fisheries, wind industry and natural cultural resources. So each of those

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five sub-models have individual kind of components that help inform an overall suitability score. NCCOS and their team take the kind of overlapping interests within those sub-models and calculate a geometric mean.

They do that by laying over a grid of the entire area into ten acre hexagons, and getting a picture that you sort of see in the lower right corner there, the heat map essentially where the most and least potential conflict is.

So here's, you know, got in a little bit closer with that. Looks like you can imagine, if something's constrained, it's getting a score of zero, and then the highest suitability score you can get is one, and everything else in there is sort of a spectrum of suitability from zero to one. And then you have sub-models that are sort of stacked on top of one another, to give you an overall picture of total suitability.

So focusing on the fisheries sub-model, which is probably of most interest to this

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group, these are the data layers that we brought forward in July. I've got a couple of minor updates to share, but essentially it's broken down into two kind of larger categories.

So we've got data that represents kind of continuous fisheries effort. So we've got the same footprint, master data, VMS data, the charter party VTR. We'll get into the large pelagic intercept survey, and then really the rest of the data layers in here, a lot of them are highlighted in yellow, and they're areas that we -- were brought to our attention during the call for information nomination, those areas that were of high interest and importance to the fishing industry.

So we wanted to make sure that they were incorporated, but they're not represented in the model in terms of fishing effort. They're more of the static areas, you know. You can draw a line around them sort of saying Georges Bank is very important, you know. This is an area to be avoided. Platts Bank is very important. This is an area to be avoided.

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So just kind of separating those two. But everything that's represented here was incorporated into those preliminary model runs.

I'll just scan through quickly what these data layers look like, and then once we open it up for comments and questions, we can come back to any of these. So these data were provided from NOAA Fisheries. We have the fishing footprint roster both by revenue and by landings, and those gear types include bottom trawl, dredge, gillnet, lobster, longline, (inaudible) and shrimp.

So trying to include both a picture of, you know, areas that are important in terms of revenue but also in landings. So there's some --. Then VMS data. We've now actually been able to update this data set to go back to 2009, and we're trying to get the data from Office of Law Enforcement back to 2006, and that's been at the request of NMFS, as well as some of the ground fishing sector that we've been working with.

So we've got a little bit of an update picture here. We've also been able to speed

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filter this down to better represent active fishing activity. This is a decent snapshot of kind of where those areas of highest fishing activity exists for those fisheries listed on the slide.

This is sort of the rec fishing picture that we have from the charter party VTR data. Then we get into the highly migratory species. So what we initially were able you bring forward here was the large pelagic intercept survey data from 2011 to 2021. As you are much more well aware than I am, you know these are essentially points that are reported back.

So those points aren't representative necessarily of where all of that fishing activity is happening. So in working with our colleagues at NMFS, we created sort of a ten mile setback or buffer around those points to try to capture broader areas that are likely important for those fishing efforts. That's what you're seeing in this image.

And then more recently, we received

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the data from Matt Davis, the Davis and Kneebone study from this year, and that's new survey data representative of fishing effort from 2010. I know Matt's in the crowd, so he can speak to that better than I. But what we've done actually is since we've got these data working with NMFS, we've combined them into sort of a map that represents both the effort shown here, as well as the effort shown in the large pelagic intercept survey.

So really what it does is it kind of bolsters some of the areas that you see here, that the Davis and Kneebone data set has radar spatial coverage within our call area. And so if there's an area that it's shown as, you know, high activity in the LTIS, those areas are kind of reinforced within this Davis and Kneebone study, and we are incorporating both of those.

We've also been asked to incorporate the Science Center trawl biomass data for a few different fisheries in different seasons, and these were coming from NMFS recommendations as well.

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Additionally, we were planning to include these in the fisheries sub-model, but on further comments received from the states and NMFS, we've actually moved this into the natural resources sub-model, to kind of differentiate the data layers that we're considering that are from active fishing efforts, versus this layer which is, you know, not reflective of fishing-dependent data. It is instead where, you know, that -- the biomass hot spots are.

So what does all of that look like? The layers I just spoke to are all part of the fisheries sub-model. So in the lower left-hand corner, you're seeing the overall suitability picture of that history sub-model. You've got the areas of fishing importance, as well as those VMS, PTR and HMS data sets. It gives you an overall picture of suitability.

So if it's dark blue, that's kind of the highest suitability, and the areas in yellow and orange are the lowest suitability areas. We are of course not just looking at this region. We have other interests that we're trying to

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weigh and understand in this region. So you're seeing what that suitability picture looks like here for national security, natural resources. Industry refers to the shipping industry, you know, commercial maritime and some of those interests, as well as (inaudible) data.

And then there's a wind sub-model that's sort of representative of where the areas that are most suitable for wind, wind development. So all of these five layers, if you remember that graphic of kind of the stacked grids overlaying one another, give you a picture of total suitability.

So what's on the screen right here is a preliminary result that we shared back in July.

You'll see the Model 4.1. So that's, you know, we've been working at this for a while. We have advanced to Model 4 in our process, and we were able to share that out. Like I said before, there's sort of different scenarios you can imagine that you can set up within this model, where you can weight things differently.

As a starting case, we call it the

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"base case," we're trying to really have a balanced approach, where all the sub-models are weighted equally. We're trying to do sort of a balance job as well, incorporating all comments and recommendations that we received.

So I'll show you two different versions of this. One version shows all of Lobster Management Area 1 removed or constrained, because that was a recommendation we heard a lot through the call and through the meetings in July. And then another version here, where Lobster Management Area 1 is given a very low score, 0.1 but not totally removed.

So you're getting a picture of overall cumulative suitability for all of those sub-models, and what you want to like start to parse out here, and you can see some of the areas that are called out. But the areas that are showing up as, you know, in the orange -- yellows, oranges and reds are the areas of lowest suitability, whereas sort of the lighter, lighter greens, blues and darker blues are the areas of higher suitability.

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So the next step is sort of taking these results and trying to find clusters of connected suitable cells that could potentially be draft wind energy areas. So in those July meetings, we brought these results forward, got comments on the underlying data and were able to explain sort of what's at play here in driving the overall suitability scores and having that conversation with you all today as well.

So just again, sort of looking at this during those July meetings, a lot of recommendations to remove Lobster Management Area 1. There were also Lobster Management Area 3, lobstermen had some concerns in the further offshore eastern areas. Removing Platts Bank with various buffers recommended on that. There were recommendations from different fishing associations, and overall just the sentiment that it's really hard to draw lines on a map for fishermen. All of the areas very important to them and interconnected in the ecosystem.

So if and when these fishing groups do make spatial recommendations, they were

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recommending we listen to them. Some concerns we heard were overall lack of confidence in some of the underlying fisheries data, especially the survey data; concern that fishing activity and winds could be completely incompatible; concerns about transmission and potential effects to marine mammals.

So where are we sort of in our process right now? We still have a ways to go and this is sort of a snapshot in time. We are just past those July meetings. So if you kind of track over on this slide, you go past July into August.

You'll see that just before August, it shows the fisheries open house meetings. Those are the meetings I just discussed, and now we're in this BOEM develops draft wind energy areas part of the time line.

So that's -- we're hard at work right now, reflecting on the comments we got in July and kind of tuning up the model to help inform the overall draft wind energy areas that we'll publish this fall, probably in the late October/early November time frame.

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As you guys recall from Central Atlantic and other planning efforts, once you have final wind energy areas, you advance the next step after. That would be a proposed sale notice and then a final sale notice, and then an eventual resale that we're currently targeting for late 2024.

The research lease. This is like completely switching gears. I'll just quickly give an update on where things are at there. You know, an environmental assessment is underway and let just go to this next slide that gives you a bit of an overview.

So the comment period on the environmental assessment, the draft environmental assessment closed on August 21st. So we're currently reviewing those comments and those will inform a final environmental assessment, which needs to be completed before any sort of lease related to the Maine's, state of Maine's research lease application can be completed.

That's kind of under consideration right now. There's also a spatial analysis

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that's underway. You know, Maine had a preferred lease site that they put forward. We're evaluating that, as well as the rest of the area in that kind of request for a competitive interest box, if you recall that.

And assuming things move forward, the lease issuance could occur as, you know, the end of Quarter 4 of 2023, and then Maine would develop a research activities plan, which is kind of akin to a construction and operations plan, and move forward with additional NEPA review on that document and plan. So that's what I've got for you all today, and I think I will stop sharing my screen so I can see you all a bit better, and we can go back and revisit slides as you like.

MR. BROOKS: Great. Thanks so much. A really helpful presentation. Brian, do you want to weigh in with anything before we open it up? Okay. Let's go to questions then. I see one card. Willie, I think maybe yours is left over. All right. So let's start off with David and then over to John.

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MR. SCHALIT: Thanks very much for this presentation.

MR. BROOKS: Just get a touch closer to your mic if you would.

MR. SCHALIT: How's that, good? Can we have a look at Slide No. 9 I believe it is? Yes.

(Pause.)

MR. SCHALIT: There it is. I think that's it. Okay, great. That's the only -- I picked that slide because it's the only one that gives us enough definition about the areas that I'm thinking about, that I want to ask about.

From our point of view, there are three parts to the issue of bluefin data for the Gulf of Maine, all right, and that is where the catches take place, residency of bluefin in the Gulf of Maine and, you know, annual residency, and then the migratory routes, okay.

I'm going to focus in this on the migratory routes in the sense that you can see that outline of the northwest edge or north edge, north to northwest edge of Georges Bank in that

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chart. You know, the Gulf of Maine is bounded on the north by Bounty's Maine in Canada, on the west by the continental United States, and on the south -- on the south by Cape Cod, and on the east by Georges Bank and Browns Bank, which is just north of it, okay.

So this in a sense defines the only deepwater access points for bluefin tuna swimming into and out of the Gulf of Maine. There are two deepwater access points, one of which is the Fundian Channel, which exists between Georges and Browns Bank, and the other one is the great south channel and the area leading up to the backside of the Cape, and that's the side of the Cape where the fish come in.

So what it looks like in this chart is that we are talking about developing areas in the Gulf of Maine for large-scale offshore wind which would possibly impede fish migrating into and out of the Fundian Channel. I just want to point that out.

Now obviously this needs data, and we believe that we have -- we're going to have a

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possibility of -- we might have data that could be available, that would show these migratory routes, and also show residency in the Gulf of Maine. The one thing we would be missing, of course, are the location of where catches actually take place, you know.

I mean you referenced a report or work that was done by Jeff Kneebone, who's sitting right here, and use the large pelagic survey data. We know about that large pelagic survey data. We've looked at it, at the databases, and the data for commercial landings is incredibly thin. There's only a couple of hundred actual records in each database for backside intercepts.

For recreational data, it's also actually very thin in terms of determining the geospatial data we're talking about, where catches actually take place. So we have a real problem here, a lack of data problem and it's no -- it's just something that we're having to grapple with and find a solution for.

So what I'm suggesting here is we will -- we, my organization, the American Bluefin Tuna

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Association, will -- we are -- we will be discussing this matter with Clay Porch and John Hare, the potential solutions that we have that we're working up. But we will -- and they will take it from there.

It's not our work, it's not our job to put this together. It's for NOAA to do this. So I suppose that, you know, my concerns, you know, I've expressed my concerns regarding these migratory routes. There are a great many concerns with regard to the population dynamics of bluefin tuna in the Gulf of Maine, and the woeful lack of data that is being used by BOEM for determining the siting of these large-scale offshore wind projects. Thanks.

MR. BROOKS: Thanks, David. I don't know Zach or Brian, if either one of you are going to weigh in here.

MR. HOOKER: I don't have anything. Zach, did you have any follow-up?

MR. JYLKKA: I appreciate the comment, you know. I think as you're developing and making recommendations to NMFS, you know, I think

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we'd also be interested in your thoughts and insights around what about the potential design of floating offshore wind, because everything that we're considering in the Gulf of Maine would be floating, would sort of be incompatible or inhibit those migratory routes that you're referring to.

MR. BROOKS: Thanks. Let's go to -- let me just bring it around a little bit to other folks and then we'll come back. John.

MR. DEPERSENAIRE: Yeah, thank you for the presentation. Early on in the presentation, you talked about the process that's involved getting to a final call area, and you mentioned how marine sanctuaries were removed from -- moving forward there, you know, particularly Stellwagen Bank.

I was curious if you could just provide, provide a little context on the hierarchy in that decision, you know. Is it the policy now that no wind development will occur in marine sanctuaries? Is it, you know, whoever comes first has jurisdiction? Just if you could

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provide a little bit more context on that, I think it would be helpful. Thanks.

MR. JYLKKA: By regulation, BOEM does not have leasing authority within existing National Marine Sanctuaries. So it's kind of a pretty black and white issue.

MR. DEPERSENAIRE: Could you -- you said "existing." So if there is an existing -- if a new one is designated, if a new sanctuary is designated, could that creep in and then take over jurisdiction for existing call areas?

MR. JYLKKA: That's a good question. I don't have a clear answer for that. It might be a question for attorneys.

MR. BROOKS: No doubt a question for attorneys.

MR. DEPERSENAIRE: Yeah. I mean I can just -- I mean I know, you know, using the example in the, you know, in the New York Bight, where the Hudson Canyon Sanctuary is being discussed, I mean we worked very closely with NMFS in learning how our, you know, leasing process may inhibit or may interact with a

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potential future site.

So there is active conversation any time we know that there may be some changes. I think we have a similar situation, I think, on the west coast with some, some recent leasing as well. So yeah, those are -- those are active conversations and we try to work together so that we're not, you know, putting one thing on top of the other that are not allowed to exist together by regulation.

MR. BROOKS: Mike.

MR. PIERDINOCK: Thank you, and thank you for your presentation. I'd like to thank Jeff and Matt for all their efforts to try to assemble all this data and information of where the fishing is taking place. My question is where, which one of these are you hanging your hat on, the LPS one with effort?

Because as you look at this one in the bluish area, there's a wider range. If you look at the LPS, that eastern area says zero. So which has to do with how the LPS survey is used, which was kind of discussed this morning as well

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as yesterday as it relates to MRIP. So which one is being used for the decision?

The basis for that is if you go to the other one, which takes into account all the GARFO information from EVTRs and paper VTRs going way back for northeast multi-species vessels that have to report everything that they catch. I remember the days when we used to have five bluefin commercial, that could be caught commercially and they leave Green Harbor. They go all the way to the Hague Line, take 12 hours and there was a hot spot over in that area.

That took place for around one season, and that's back when our -- we'd have to go 30 to 50 or plus miles offshore to catch the fish, and as temperatures change, now the fish are closer to shore. That's where it's tough to represent that because of changing conditions.

So with the decision that's being made, are you going off of this chart or the other one, or just looking at all three as a hybrid to assess effort within a certain area?

MR. BROOKS: Thanks, Mike.

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MR. JYLKKA: Yeah, so really good question. Thank you for that. It's essentially the hybrid that you just kind of mentioned at the end there. So we're looking at -- it's a combined data layer that we're creating using both the LPIS data and the more recent data, the Kneebone data that was provided.

What drives more of that result is the Davis and Kneebone study, because it has greater spatial coverage. I was actually -- this is pretty recent, hot off the press type of stuff. I was able to share some of that with Matt Davis and I'm sure I'd be happy to share that with any of you.

But you can sort of see what that combined data layer looks like, and it looks a lot like what you're seeing on the screen right now. The difference sort of is that areas that are hot spots within LPIS kind of have additional sort of weight in that combined data layer, because they're really reflecting the same kind of hot spots twice.

MR. BROOKS: Quick, yeah.

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MR. PIERDINOCK: One last question, and this really comes from going to so many of these meetings. I'm not sure which meeting this came up, but the last meeting I went to, I think it's important that this body knows that 20 percent of the Gulf of Maine is proposed for floating wind turbines.

And it still has not been established, from my understanding, where that would take place. The question came up that if it's 20 percent, as I believe we know, the number of turbines one has in the distance, which requires (inaudible) upon how high they have to go in order just to make economic sense. So it possibly could be less than 20 percent.

Has there been any decision made on that or where does that stand in that decision-making process?

MR. HOOKER: Do you -- Zach, did you want to share a slide on that minimum size that you're looking at for potential lease area or -- oh, there you go, how many acres are needed. Okay, I'll switch sides here too.

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MR. JYLKKA: A couple of things. The area that we're currently looking at that, you know, that was established within the call for information and nominations is about 9.8 million acres. Recall that, you know, that area was reduced from an initial kind of planning area for the entire Gulf of Maine, which I think was somewhere over 13 million acres.

So I think, you know, the area that we're currently considering is not the entire Gulf of Maine, but I grant you that it is most of the Gulf of Maine. So I just wanted to clarify that first.

Second, the overall goals of sort of what acreage might be needed for offshore wind in the Gulf of Maine is informed in part by the state renewable energy targets, and that's what this slide covers. So we've heard now from the state of Massachusetts. They think that they will need 10 gigawatts of offshore wind capacity from the Gulf of Maine by 2050, and that the state of Maine believes they need 3 gigawatts of capacity by 2013.

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We've got some different numbers from ISO New England, from the power grid, you know, 18. And then American Clean Power, which is a wind industry group, saying that that number is closer to 20. So we're kind of taking all of that into consideration to come up with sort of what would be a maximum goal.

This table on the screen shows that depending on which calculation you use to calculate energy density, that the total number of acreage needed is going to vary. BOEM tends to use a very, you know, conservative estimate that it's, you know, .01 acres per megawatt. So if you use that calculation, you would need, you know, 1,300,000 acres to get 13, 13 gigawatts or 13,000 megawatts.

And then if you use a number that's I think more used by industry, that number kind of cuts in half the amount of acreage you would need to create that energy potential. So that's -- we're at this point. I put this on here intentionally, that you know, we're trying to develop draft wind energy areas, and then from

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there we're going get to final wind energy areas, proposed lease areas and final lease areas.

Our current goal, because we're not done, is to try to get this area reduced by about 80 percent for the draft wind energy areas, and then bring it back out for public comment, and we'll do another round of meetings. So those will be taking place this fall, after the draft wind energy areas are published, to understand, you know, what are the remaining concerns, how can this be further refined.

It may be that at the end of the day, there are just too many conflicts in the Gulf of Maine to accommodate the energy needs needed by the states. That's a possible outcome. We've seen that type of thing occur in the Central Atlantic more recently, where states have much higher renewable energy goals for offshore wind than kind of the amount of space that's been found thus far in our planning processes.

So you use these as one of the kind of pieces of information that inform our leasing goals, but it's not the only one. And then as we

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advance through the process towards final lease areas, you can expect that area to get winnowed down multiple times before we get to that final product.

One last thing, I know this is a long-winded answer, but once wind energy areas are established, there is the possibility of moving forward with leasing and, you know, a part or a subset of wind energy areas, while leaving the rest for further study or consideration later down the line.

You can see here that Massachusetts and Maine are saying they need this potential by 2050. You know, estimates are that if a lease sale were to take place at the end of next year, that construction at the earliest could take place in the early 2030's. So you could see this process being potentially phased out over a longer period of time.

MR. BROOKS: Thanks. Super-helpful answer. Jeff, I saw your card go up. Did you want to jump in on any of this last bit as one of the co-authors around the table?

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MR. KNEEBONE: I do. My question falls along this line. So thanks. I'm glad to see that our data are being used. I'm very happy to see that. I wish this happened in southern New England many, many years ago, but better late than never.

My question relates to the Presentation 1. Is there any chance we can get an updated version, the version? I don't have all of any of the modeling slides. It would be great to see those, and that's where my question relates to.

In the one slide where you showed a heat map of the areas of I believe it's the most optimal, the blue region where there's I guess the least amount of conflict, and that would be the good area, is that -- what is the area of that blue zone?

Is it two million acres? Is it close to it? Is it much smaller? Do you have any comparison? Like basically my question is could you achieve the capacity you need in the area that is -- that the model is suggesting is the

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most deconflicted? I know you kind of partially answered that already, you don't know. But any further insights would be great. Thanks much, Zach.

MR. BROOKS: And if I could add a tag onto that? And how does that blue area correlate to areas that the wind energy developers have cited as of interest?

MR. JYLKKA: Yeah. So really good questions. First off, you know, this is sort of one iteration of this model, right? So the model again, as I've mentioned, can be kind of twisted and turned in different ways.

This is sort of the base case and this is more or less the approach that was used in the Gulf of Mexico and Central Atlantic, where all of the models, the individual sub-models were weighted equally, sort of equal consideration given to these conflicts. So this is a result that you can get.

We're also considering other versions of this, you know. We've heard that, for instance, for an example, that natural resources

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and fisheries should be -- those concerns should be weighted more heavily than, you know, maybe commercial maritime and the wind industry, and that if you -- if you kind of dial up the weight of those sub-models, the results look different.

So I don't want anyone to sort of see this and think like oh, those blue areas are the ones that are definitely going to be the lease spots. This is sort of a snapshot in time of what that picture can look like with these assumptions in place.

That area out there, I don't have an exact answer for you, but it probably is, you know, if we were to -- I don't know if you can see my cursor. All of this is probably one and a half or two million acres. So that, you know, I think that was part of your question there. But then I believe it was Bennett's follow-up was that, you know, how does that line up with the actual nominations from the wind companies?

And I can pull that up. I'm going to have to switch over. So I can stop sharing and then I can share it back up. We have that on the

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website, where you can see the map of aggregate nominations. So if folks are interested in seeing that, I'm happy to pull that up.

MR. BROOKS: I don't think you need to do that Zach. It's okay. Just maybe Brian.

MR. HOOKER: I was going to say is it in the industry, wind industry sub-model at all, represented or not? Because you have that on the next slide.

MR. JYLKKA: It's on the website, and I can share the link in the chat. Maybe that's the easiest way to do it. But anecdotally, the wind developing community has been following all of our engagement efforts over the last, you know, couple of years, and they've heard about the level of conflicts that have been raised in Lobster Management Area 1, some of these North Atlantic right whale restricted areas, and their nominations are reflective of many of those concerns.

So we received fewer nominations sort of within Lobster Management Area 1 and within those restricted areas. And then depth is not

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really a restricting factor in the Gulf of Maine.

Like out off of California, you're dealing with vastly deeper waters than we have in the Gulf of Maine. So depth is not a limit. The further away from shore and the points of interconnection you go, the more expensive projects will be.

They're basically saying that development is feasible all the way out to the Hague line. But I think that there needs to be an understanding there too that, you know, the cost of those projects will be higher, and probably at greater risk of a financial, you know, financial risk if those were to be the only projects that were put forward.

MR. BROOKS: Right, thanks. Let's get a few more folks in here. Steve, we haven't heard from you in a while, so let's hop over there.

MR. GETTO: Thanks for the presentation. I touched on this in Plymouth, that what you're talking about is a 30 by 50 mile area, and after seeing a few iterations now you're boiling it down to basically a spot right

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in the middle of the Fundian Channel, which would probably disrupt a major migration route into the northern Gulf of Maine, where fish often show up at the first time of the year.

So that puts it in perspective a little bit. It's 30 by 50 miles, and it's getting funneled right into an area off (inaudible), which is major migration area. Thank you.

MR. BROOKS: Thanks, Steve. Tim, then over to Marty.

MR. PICKETT: Thanks for a very detailed presentation. This, I realize this is more of a planning area, you know, layout. But I'd be interested and I obviously don't want you to show an entire lease agreement right now. But I'm wondering, you know, all of these timelines for this presentation end at installation.

In the eventuality of an installation, what is in place for continuing monitoring and, you know, I guess I'll call it a seller's remorse provision, you know. I mean you can do all the planning you want, you know. It's like a

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construction project, you know. You sign and follow the drawings, but at some point there could be a change order, you know.

What, what is, you know, what are the provisions for, you know, changing the optics of it or, you know, a poison pill, that sort of thing?

MR. BROOKS: Thanks.

MR. JYLKKA: I'll start really quickly, but then I'm going to hand it over to Mr. Hooker. So most recently, the lease agreements have been for an operations term of 33 years. So that's sort of the time horizon that we've seen most recently. There's nothing sort of set in stone that requires that amount of time, but that's been the trend most recently.

And an important thing to note before I hand it off to Brian is that as part of our process, we've put out a proposed sales notice. So that proposed sales notice is a required step and it's accompanied by a 60 day comment period. It's essentially BOEM saying these are the areas that we're proposing to lease, and these are the

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lease instruments that we're planning to use, and those are available for public review and comment.

So that's a really great time in our process to give comment on what we're already planning to do, and to get recommendations for how it can be improved. But Brian, I think you'd probably be best to speak to what -- what we've been seeing most recently in terms of monitoring on these projects.

MR. HOOKER: Thanks, Zach. I think I'll touch upon, you know, basically two things.

We have, you know, not only in the lease itself, there might be provisions for surveys to do, you know, prior to the submittal of the construction and operations plan. And then we actually get to a construction and operations plan, and there's usually additional provisions in there for things to monitor or survey during a portion of that operations term.

It's usually for a few years after the project is built, to ensure that what we anticipated to occur in the EIS are actually

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occurring. On top of that, we do have -- BOEM has an environmental studies program that we do look, try to look across projects and for more regional scale studies, to understand, you know, what the, what the impacts might be across projects.

Because in specific projects, we're looking at the direct effects of that project. What did we anticipate that project to have a direct effect on? Some of these larger, cumulative ones, we usually handle at the environmental studies level.

The other point I wanted to, you know, point to is the unforeseen, I think is what you're getting at, if there's an unforeseen impact, and we do have provisions in our regulations that if there's an environmental harm that occurs that wasn't anticipated as, you know, as part of the COP approval, you know, the lessee will notify us and then offer what remediation is available.

They may have to do a COP revision to revise the COP to either potentially modify the

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project or mitigate in some other way. But we do have those provisions in our regulations that allow for some modification at some point during operations, if an environmental harm is -- occurs that we did not foresee in the approval.

MR. BROOKS: Thanks, Brian. Marty.

MR. SCANLON: Yes, Marty Scanlon, president of Bluewater Fishermen's Association. I just want to take the time right now to thank BOEM and NCCOS for the constructive dialogue we've had over the past year in regards to the Central Atlantic wind energy project, you know, and the very positive results we got as a result of, you know, working with you on that, that you know my comment is really to encourage everybody here at the table to continue to engage with you and express to you their concerns, that you did listen to what our concerns were and you were able to resolve them with us.

So thank you very much again. We look forward to working with you in the future, and if any conflicts do seem to come up in the future.

MR. BROOKS: Marty, you are a bundle

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of compliments this morning.

(Off mic comment.)

MR. BROOKS: You ran out yesterday.
Nothing left.

MR. SCANLON: I've had some success.

MR. BROOKS: All right. I think I am
not seeing any other cards up here. Oh David,
sorry.

MR. SCHALIT: Yeah Marty, I'm
impressed. Actually, it brings up an important
point that I wanted to -- I have just an issue I
want to discuss briefly, and then a question.
Most commercial fisheries in the Gulf of Maine,
and yours outside the Gulf of Maine, carry VMS
units, okay.

VMS units are pinging satellites once
every hour, once every two hours. It's a no-
brainer for the agency to know where they are
fishing, because it goes directly to a satellite.
Unfortunately, none of these -- none of these
fisheries that -- the commercial hand gear
fishery and the recreational fishery for -- that
target bluefin tuna in the Gulf of Maine do not

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carry VMS units, okay.

So I want to -- I personally would like to mention this to all you HMS people out there. Please do not be, allow yourself to be lulled into a condition of complacency, that we actually have good data on where we catch fish in the Gulf of Maine. That is simply not true. We have garbage data. We have so little data.

If we -- we have been studying the Large Pelagic Survey's database every single year for the last six years, and there is a field, there is a, what would you call it, a data element field in that database in which you would fill in where you caught the fish, okay.

And it's hardly filled in. I mean it's maybe once every, once every 50 records you'll see mention of it. So the data is -- for the commercial fleet, it's disaster because the coverage of the Large Pelagic Survey's commercial fishing activity is nearly non-existent. But for the recreational, where there's more data, it's still very paltry, very very paltry. We run a very serious risk of having problems with

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offshore wind as a result of this lack of data.

But now, here's my question. You've identified, and I appreciate this, you've identified that the Gulf of Maine will be largely comprised of floating or semi-sub offshore wind, offshore wind platforms; correct? Yeah. So all right. So this is, this is interesting, because I know there are probably a dozen projects I believe in Europe involving floating winds.

The only one that I know of that's functioning now, I mean there's two of them now.

There's one in Scotland, which I think is 88 turbines, and then there's one that just last week was I think went online in Norway, or was it Finland or Norway. I'm not sure. Anyway, most of these offshore wind projects, with the exception of the one in Scotland, are relatively small, like 40 turbines, 30 turbines, that sort of thing.

I'm envisioning, but maybe you could confirm, that these projects that we're talking about now are large-scale, in which case we're talking about possibly two or three times the

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size of the wind farms that are -- or floating offshore wind farms that are being worked on in Europe.

But I think the key here is that there is a dearth of research on floating offshore wind, the impact of floating offshore on the marine ecosystem, notwithstanding the fact that the Europeans have been, you know, sort of front-runners in this project. My, this is a great concern of ours and I'm wondering if you have any plans for doing research on the potential impacts of floating offshore wind, specifically with regard to the Gulf of Maine. Thanks.

MR. BROOKS: Thanks, Tim. Zach or Brian?

MR. JYLKKA: Yeah, thank you for the question. So you're definitely correct, that there are a very small number of, you know, commercial-scale wind turbines, floating wind turbines that are currently in operation, you know. Of the ones you mentioned, yeah, they're more on the scale of, you know, there are five turbines off of Scotland. I think I just came

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online for Norway. That was the one that you were referencing there, and then there are a couple off of Portugal as well.

The market in Asia is developing very quickly, and I don't know off the top of my head how far some of those have progressed. But I think one thing I'll say is that the time horizon here is in our favor, and that while we're talking about a lease sale, the actual construction, the companies that have responded to date on, you know, and provided interest in developing in the Gulf of Maine have said that if a lease were issued, you know, toward the end of 2024, that the earliest any construction would occur is the early 2030's.

Between next year and the early 2030's, there are a lot of other, much larger projects within Europe and Asia that are due to come online. So there's going to be a great opportunity to learn from those projects. A lot of the same companies that are pursuing those projects could be potentially pursuing projects here in the United States.

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So while that pipeline might not be wide enough kind of chronologically here in the United States, there are a lot of projects that are ahead of -- ahead of the United States elsewhere in the world. There is the Maine research lease, and a lot of that, you know, effort is designed to inform future development, both in the Gulf of Maine and elsewhere in the United States.

That time line is not as spaced out as some would like, right. So I mean that lease could be issued by the end of this year, and have a bit of a head start, but not as much a head start as we all would like. You know, you'd love to have a lot more time to evaluate that. So I don't think that all of the eggs have been put in that basket, but thankfully there are dozens and dozens of other projects, you know, that will involve, you know, much larger commercial scale efforts elsewhere in Europe that should be coming online in kind of the late 2020's here.

MR. BROOKS: Great, thanks. Thanks.

Oh Brian, go ahead.

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MR. HOOKER: I was just going to say, I think that we could -- we could probably follow up with the AP with some (inaudible) studies that we do have kicking off in the Gulf of Maine. A lot of what we have right now is some like ecosystem baseline studies and that sort. But we're learning a lot and being informed from a lot of work we're doing in the Atlantic on hydrodynamic effects, because I think that's ultimately what we're probably going to be most interested in.

But I think it's important to keep in mind, as Zach's mentioning, those types of studies are very -- it's very important to know exactly where you're modeling. So we're just not to the point yet we'd know where to run the model to look at where, what the impacts are, so --

MR. BROOKS: Thanks Brian. I know we're a little bit over here, so I want to respect both of your time. In terms of next steps, there's what you just mentioned, Brian, so if you could provide those lists of studies that will be happening or are happening in Gulf of

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Maine that would be great.

And then I think there was a request from Jeff around just getting updated data on the suitability models, right?

MR. KNEEBONE: The slides.

MR. BROOKS: The slides, just the slides. So thank you, thank you both. I'm sure we'll be seeing and hearing from you again. Appreciate your coming. Obviously this is super important and of interest. So we want to get you to lunch, but before we do that, I think we mentioned yesterday that we do want to just use a little bit of the time to give the folks who are stepping off the panel a chance, if they would like, to just share any, any brief comments.

You know people really do -- you all know this, how much time, how much effort you put into this, and it's meaningful and we really want to create a space for folks just to share whatever they'd like, again in brief remarks. And again, we're --

Mark Sampson is stepping off at this point. Sonja Fordham is stepping off, George

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Purmont and Tim Pickett. So I know we have a statement from George, which I think Pete is going to read to us. But start in the room, if someone -- yeah Tim, go ahead.

MR. PICKETT: All right. I appreciate it and, you know, I appreciate the ability to come here for the last several years. I've personally learned a lot, you know. I appreciate the agency, and I guess I'll miss the biennial festivus (phonetic) airing of grievances. But I appreciate everyone, you know, for taking it in stride and really that my, you know, my passion is, is focused on the industry.

And you know, I'll say this is a -- this is a see you later, not a good-bye. I intend on being continually involved in all of this, because it's something I feel strongly about. Most of you know how to get in contact with me if you have any questions. I'm always happy to help.

You know, the way I see it and the way I see our industry is we do it the best in the world, and we're an industry that, you know, has

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been very flexible. I'm talking the pelagic longline industry. It's been very flexible, has had a lot of industry involvement in making us a success story to the world.

That being said, that only continues as a success story, and an example to people if it exists. The worst example in the world would be the failure of the industry. So that's kind of my, my parting thing, you know. I believe we need to keep us around to continue being an example, and everyone have that in the back of their, in the back of their minds, you know, as you continue discussions and everything.

But thank you for the opportunity and we'll see you later.

MR. BROOKS: Thanks very much, Tim. Sonja, I see you've come up to the table, so let's hand it off to you.

MS. FORDHAM: Yeah. I was going to be brief but you encouraged me to do this so I wrote it all out. I know you want to go to lunch. I can speed through it. It's not the briefest thing I've ever said at this table. I do want to

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note how odd it --

MR. BROOKS: Get a little bit closer to the mic.

MS. FORDHAM: I wanted to note that how odd it is that my last meeting is one where this is the only thing I have to say, my farewell. I recently prepared a memorial tribute for my hero, Jack Musick (phonetic), and I came across notes from NMFS first Shark Operations Team meeting in Silver Spring, and I'm looking at Karyl, because I recall that was led by Dick Stone and held in Bill Hogarth's office.

I was just an observer, but I'm pretty sure that I was an OG member of what came after that, this panel. But just shows it's been a while. Given recent events, I thought I might limit my reflections to -- some of it's magic and some of it's tragic.

But I've had a good term all the way (inaudible) a bit more, and dispense quickly with the mildly unpleasant bit, which is that it's hard for me not to mention that a few weeks ago when I was writing my Amendment 16 comments

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opposing a relaxation of shark fishing limits, I can't really say that I was overwhelmed with a sense of pride for a long-lasting and great impact on this process in terms of a science-based precautionary approach that I try to promote.

But if I step back a bit, the longer term is certainly more positive. I think most would agree that sharks now enjoy a much higher conservation priority than they did in the 1990's. I'm really grateful to have been, had a chance to play a role in that. I'm particularly pleased that this process has in several cases facilitated significant population rebuilding for sharks over the decades.

I'm pleased not just for the sake of sharks and ecosystems here, but also for the valuable lessons that we can offer other countries, where shark status is generally much more dire. I've been a big fan for a long time of our country's public comment process. It's surely one of the best if not the best in the world.

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I serve on a lot of advisory panels and don't tell them, but I think this one is the best in terms of encouraging and making it mildly intimidating to weigh in on these management measures. These meetings in particular offer really terrific chances to get up to speed on complicated matters, and also engage and interact with a real wide variety of experts.

That's been very important to me, and I will continue to encourage greater engagement from the full range of HMS stakeholders. From the beginning, I've appreciated the professionalism as I get weepy, the professionalism of the NMFS staff.

Over time, I think that's been key to making our deliberations much less contentious than they were in the past. As Rick Weber noted yesterday, that's been a significant and welcome achievement. I will reiterate my appreciation for the time and hard work that HMS staff put into -- gosh, it's hard.

(Pause.)

MS. FORDHAM: Preparing, delivering

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and publicizing presentations for each and every meeting. That really helps with digesting complex topics. I will add recognition that NMFS staff have remained consistently open and accessible to all stakeholders, and I've never once felt slighted when I've come to staff with a special concern or question. I'm very sorry.

I just, at the risk of really losing it, I just want to add that I'm grateful to all the other panel members over the years who have been so accepting of a role for environmentalists. God. I can't believe I'm crying at an HMS meeting.

MR. BROOKS: Don't worry, you're fine.

MS. FORDHAM: Okay.

(Laughter.)

MS. FORDHAM: Wow. Accepting of a role for environmentalists in this process and have listened and -- listened to and considered our relatively untraditional and often unpopular positions. I have in turn learned a great deal from all of you. I truly appreciate your perspectives as well as the partnerships and

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friendships that we have formed along the way. Keep it together.

And before I completely lose it, I will just remind you that I am a local, and as long as I live nearby, I will continue to turn up and participate, probably from the cheap seats and maybe not first thing in the morning and perhaps proxy. But I'm looking forward to that and sincere, obviously sincere thanks for all the opportunities and progress that we've had to date. Thank you.

MR. BROOKS: Thank you, Sonja. Appreciate it. I don't think Mark Sampson is here unfortunately. So let me -- I know George Purmont is online, but I think he asked you to share his remarks.

MR. COOPER: Yeah. George wanted me to share his remarks and Sonja, that was great and don't worry. I cry at every one of these meetings.

(Laughter.)

MR. COOPER: And yeah, you're always welcome back and you will get the same travel

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reimbursement that you have the entire time you've been on the AP, even when you're not on the AP. So yeah, these are George's words, and George Purmont, you've been a great advisory panel member, and he sent me this and so I'm just going to read it as George sent it.

"For the past few years, I've had the pleasure and honor to be a member of the HMS AP.

During that time, I have met fellow fishermen from the recreational and commercial sectors, scientists, academics, conservationists, and those representatives of management within NMFS and HMS.

"It has been a rewarding experience, and I can only hope that I contributed to the discussion. The past can never be repeated. However, it does need to be acknowledged so that the future can be better prepared. The once-simple act of catching a fish has evolved into a very complex relationship of quota, migration, electronics, management, gear and demand, a scenario that would be difficult for me to comprehend when I first climbed up a mast some 55

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years ago.

"I'd like to thank the Office of HMS and its staff for its effort and guidance in allowing the flow of information in a timely manner, for its patience and generosity and accessibility.

"Not long ago, I went out on a friend's boat, and I recounted how it did not have a net, nor a wench and blocks and tackle, no harpoon, no traps, no gaff, net hauler, no side scan sonar and pulpit, no permits. It was just a boat, and we let go of the anchor and went for a swim." That's it. Thank you, George.

MR. BROOKS: Thank you, George. All right. I think we should get ourselves to lunch here. We are a little bit behind schedule, so I'm going to propose that we reconvene at 1:40, which would give us an hour and 20 for lunch, which even if you go across the street to the deli, should be enough time to get a sandwich.

And we will be hearing from staff on the Economic Situation Update. So 1:40, back here for economics. Thanks, and again thanks to

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the folks who are stepping off the panel after this meeting.

(Whereupon at 12:19 p.m., the above-entitled matter went off the record.)

MR. BROOKS: All right. I think we should jump in. We are anticipating being a little lighter post-lunch, so I think we might still get a couple more people coming back. But I think we should jump in, and want to hand it off to Cliff here in the room and George online, to give us the economic situation update.

Again, we'll take that til about 2:30 or so, and then we will shift to public comment at that point if there are any online or in the room, and then we will at that point move to wrap up and adjourn and get you out no later again than 3:00. So with that, over to you.

MR. HUTT: Hi everybody, Cliff Hutt again. I'm going to go ahead and give the presentation here in the room, and then George is going to be online as backup for questions. So in today's Economic Situation report, we're going to cover a few different things. First off,

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we're going to look at some macroeconomic indicators of the economy that we've been monitoring the last few years.

We'll talk about Atlantic HMS landing revenue, price trends in the commercial fishery, some imports and export data, and then we'll move on to looking at fishing effort in the recreational center sector and tournament registrations.

So the main thing we've heard on macroeconomic indicators is the U.S. economy seems to be staying relatively strong right now.

We have seen positive gross domestic product growth for the last four quarters. Inflation is down substantially from this time last year, when it was a little over eight percent, and unemployment rate remains strong, with less than four percent unemployment.

One thing we are seeing is interest rates are continuing to rise. They're currently now about five and a half percent. However, the U.S. dollar has remained strong and we've seen a significant decrease in supply chain disruptions

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over 2023.

Looking at the consumer price index, and this is the consumer price index for food, just to avoid any confusion this graph is looking at percent change year over year. So the fact it's trending down does not mean food prices are going down. It just means they're not increasing as fast as they were a year ago. So a year ago food prices were up nearly, a little over 11 percent from what they were from the summer of 2021.

This summer, they're only up about four percent over what they were last summer. So that growth in the price of food has slowed. One thing George did note when he put this together is we did see a big break between the regular CPI index and the CPI index specifically for food back in February of 2022, and that coincided with the start of the war in Ukraine, Ukraine being a big bread basket nation, big international supplier of wheat. The conflict there has had a significant effect on food prices.

Fuel costs this year. Overall the

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last two years fuel costs have been up compared to what they were over the pandemic, as more people are returning to driving. This particularly looks at No. 2 diesel retail prices. Generally, since March they have been less than what they were last year, although they have been creeping back up towards the latter half of this summer, and getting back closer to where they were during 2022.

Restaurant activity overall. This looks at kind of change in restaurant activity from the previous year. We've definitely seen a decline since the beginning of last year. Right now it's currently five percent below what it was over mid-August levels in 2022, likely due to inflation.

Conversely, this chart is showing that restaurant sales are up, but again this is kind of being offset by inflation, where we're seeing less restaurant activity, but overall sales are up because of the inflationary effects on food prices in restaurants.

As far as Atlantic HMS commercial

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landings go, overall they at least through July were down. They have been down most months compared to last year. The one month this year where we saw an increase in landings was in January. Each one since then they've either remained relatively flat or we've seen slight declines. But the little larger declines in some of the earlier months of the year in overall landing activity isn't at its greatest anyways.

Bluefin tuna average excess of prices have been -- this year so far have been tracking fairly closely to where they were last year in 2022. Currently seeing a bit of a downtrend over the summer, which isn't unusual given kind of the condition of the fish being landed, before they kind of bounce back up in the fall.

Yellowfin average prices are actually above -- back in July were actually above where they were in 2022, but not quite as high as they were in '21, and swordfish average prices, however, are trending a bit down and are now back to around where they were in 2020. They had previously been higher in '21 and '22.

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Even though they had kind of peaked earlier this year in March, they've been on a downward trend since then.

Now we're getting into a couple of slides about -- that are kind of new. This one's looking at swordfish wholesale and retail markup, and this is just kind of showing just how much those swordfish prices are getting marked up from -- going from the X vessel sale all the way up to wholesale and then retail sales, and this is new data that we've gotten ahold of from a group called Urner Barry.

So it's something, it's a new data source that we think is going to be useful in some of our analyses going to the future, but it's one we haven't had the opportunity to monitor yet, because gaining ahold of this data requires the output of some funds. But as you could see, there is a significant markup going from the vessel to wholesale to retail. I think having this information will be helpful in the future.

Exports, looking at imports and

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exports. Overall we have seen decreases in the last year in terms of imports of sharks and tunas, but a significant increase in imports of swordfish by 25 percent. On the export side of things, shark exports are down slightly, whereas swordfish and tuna exports are up, particularly for tunas which was -- exports are up about 50 percent.

Now according to what some of the data Brad showed you yesterday on bluefin tuna, the bluefin tuna export numbers have been trending down, but these numbers include all tunas. So bluefin, yellowfin, skipjack, albacore. This particular data source, it isn't exactly easy to tease them out by species. So overall, we're seeing tuna imports going -- exports going up, even if bluefin have been trending down.

Currently top countries by origin for those swordfish exports have been mostly countries in South America, as well as Canada and Singapore and Mexico.

Now going onto some of the recreational fisheries updates. Based on some

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comments from some of our board members, we looked at some recreational vessel sales data. Here, we were looking at some annual reports from a group called Boats Group and their annual market index reports.

Basically during the pandemic, we did see an increase in boat sales in 2020 and 2021. Basically smaller boat categories below 35 feet saw some good bounces in 2020, with larger categories seeing bounces in 2021. What was interesting though is this was another area where we saw inflation really driving a lot of increases.

While the sales and the number of vessels seem rather modest, the sales in terms of actual dollar figures were substantially more, depending on categories ranging as much as 25 to 50 percent. It was largely because the average price of vessels being sold was going up quite a bit. But I didn't get that one put in the figure. Oops. Another window just opened on me, okay.

Next up looking at recreational

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fishing effort and the Large Pelagic Survey. Overall, we've seen effort. Effort has been up the last three years compared to the pre-pandemic average from 2015 through 2019, and that has remained largely consistent with the end of the pandemic. We did -- June effort has been down the last two years compared to what it was in 2020.

I think a lot of that was driven by -- back in 2020 we had a very early tuna bite in June in the Mid-Atlantic, that hasn't -- that the last two years hasn't been quite as intense. It's kind of gone back to showing up more in July. But we've seen overall an increasing trends in efforts the last few years, compared to the previous five year average.

For private vessels, again seeing a similar trend, although a bit more noise in that, June and July were down slightly this year compared to 2021, or were down a bit in 2022 compared to 2021. But they were up later in the year in August and September, and then down a bit in October.

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Looking at MRIP data in the South Atlantic on the for hire side, again overall most we're seeing effort levels staying fairly consistent to what they were seeing over the pandemic, with a particular peak in May and June of last year. However, private boats, it got a little noisier. We saw effort was down quite a bit in March and April, but it was either kind of -- and also in July and August. But in other waves, it was a bit more steady compared to recent years.

But again, with you know the MRIP data for HMS, there's a lot of variability here and the precision isn't fantastic. So it's hard to speak to trends, and this gets even worse in the Gulf of Mexico, where particularly since Louisiana stepped out of MRIP, started their own survey, that's made the HMS data for MRIP in the Gulf a lot more variable and less precise, because you're not seeing as many HMS trips originating out of western Florida, Alabama and Mississippi.

So it's kind of hard for us to speak

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to the trends that we're seeing down there, just given the noise.

Now as far as HMS tournament impacts, we still haven't seen the whole total number of tournaments recovering compared to what they were pre-pandemic. You know, in 2019, we had 246 events. We had 55 fewer tournaments in 2020, 35 fewer in '21 and 12 fewer in 2022. So they have been slowly kind of recovering since the pandemic.

At the time that I had pulled this data for 2023, we had 193 tournaments registered through August. Yesterday during the overview, Randy mentioned I believe it was 209 events registered for the full year, but that's going to December. I only looked at tournaments going through August, because that was the month where the requirement to register has already -- they had kind of already hit the time limit for the requirement to register, which is 30 days before the event.

But overall, we are kind of seeing a recovery in number of tournament events per

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month. The one month, two months where we're really not seeing that May-June, and I mentioned this before. Those were the months when we saw a lot of mako tournaments and with that fishery being closed, it's not surprising that some of those events just aren't coming back.

And with that, George and I can take any comments or questions.

MR. BROOKS: Great, thank you. Let's open it up to questions. Martha, why don't we start with you?

MS. GUYAS: Thanks Cliff. Just a question about tournaments. Have you tried looking at number of boats registered as opposed to just number of tournaments kind of as a gauge?

MR. HUTT: That's a good question. We haven't, we haven't looked at it as part of this presentation. But just anecdotally, I mean in some of the larger tournaments, we've definitely seen increased participation. I know the White Marlin Open particularly has grown leaps and bounds the last few years. So I mean in that sense, we are seeing pretty active involvement in

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tournaments.

MR. BROOKS: Interesting question.
Rick.

MR. WEBER: Now as a tournament operator, I'll key right off of that for you, which is it goes into all I was going to say is you seem to be scratching your head about a tuna bite in 2020. I'd like to remind you of something else that happened in 2020 that really drove all of that, and that was COVID. That was pure COVID.

It was an outdoor activity that was family friendly that you could do with a small group that you knew and trusted. Fishing and boating went through the roof in 2020. People were buying anything that floats for almost any price that someone would accept. It was insane, because that was one of the few activities.

Here in Maryland, I think there was a period of time at which you weren't allowed to private boat, but you were allowed to charter boat. And so there was also some type of weird twist going on there, that would mess up a number

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of those, a number of those numbers. But I'd bet if you looked at participation, you would find that the tournaments that made it through.

If you can go back and do that historically and look at participants, if that's something you can do, I think you would see certainly a spike in 2020 that has not tapered off yet greatly. We've tapered off a little bit from 2020, but what we saw is a lot of people that couldn't travel as well.

So boats that should have been going to Bermuda or Bahamas or someplace else, they didn't want to go to those destinations, and they shot up the coast and did the east coast circuit rather than going to their -- what was their preferred destinations.

We've managed to hold on to quite a few of them. As I say, we're still up, but as time goes on, they're starting to go back to their old, their old grounds a little bit. I think that's what you'll see.

MR. BROOKS: Thanks, Rick.

MR. HUTT: I agree totally, and as an

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avid Maryland angler, I can clarify that weird rule in our state was you were allowed to fish, but only for food. You were not allowed to participate in catch and release sport fishing.

MR. BROOKS: I was going to go to Angel for a little clarification on that one, but you're off the hook now. We won't put you on the spot. Amy.

MS. DUKES: Thanks Cliff for a great presentation. Just for clarification, can you tell us the source again for that swordfish wholesale to retail markup, and if they also have that information for other species? That's really cool.

MR. HUTT: That was a data source called Urner Barry. They're a broad kind of economic market data source that includes all kinds of pretty much everything. I guess George could talk a lot more intelligently about it, but it's not by any means specific just to fisheries.

MR. BROOKS: That's our whole fish.

MR. SILVA: I can address it. Urner Barry provides a lot of market data for various

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proteins. That's kind of their specialty. I think they supply a lot to the restaurant industry and (inaudible) producers that have process foods.

One thing to -- I'll just put a plug here. I did learn about the retail data. It was a company that used to be called IRI, and they have a new name now. But I was kind of hoping to get their data because there was a lot of talk about their data during COVID, about empty shelves at grocery stores and what-not, and I hadn't been really aware of where you could get that scanner data.

But thankfully Urner Barry obtained it, and actually one of our partners from the Northwest Science Center obtained it on a different path. I'll give a plug out to our partners at Office of Law Enforcement for letting me piggyback on their subscription to Urner Barry. But that's the main thing.

The wholesale data, we focused on the market, the Mid-Atlantic market for this. They have several other ones. The Mid-Atlantic

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market, it used to be basically called the Fulton Fish Market data source, but it's been rebranded over time, since that market's going to change the nature.

And then the retail swordfish is just the fresh, unprepared swordfish that gets scanned at grocery stores. So those are the sales, both discounted and then undiscounted thrown together.

I (inaudible) out together to get those average prices for each year.

MS. DUKES: Thanks George, and as a follow-up, you said that you thanked the Northeast Law Enforcement for sharing their log incidents information and that is a subscription. It's not a public site.

MR. SILVA: No. Unfortunately, it is a premium subscription. I think -- I felt Office of Law Enforcement at NOAA several times have cases, and I think the state has also used them for support in some of their cases and kind of cost recovery on those cases. I just wanted to give them a plug, since we're happy to -- to have a couple of extra seats on their license, and I

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piggybacked on them.

MR. BROOKS: Thanks. Steve, did you want to jump in on this?

MR. GETTO: Yeah. Just a quick question on the swordfish retail. Is that adjusted for yield?

MR. SILVA: No, it's not adjusted for yields, that they don't track waste in that system. It's just the -- I think it's mainly the data that goes through the scanners, except for small retailers. Some of the small retailers that don't have as robust a scanner system, I think they get it via survey. But yeah, yield wouldn't be -- yield issues wouldn't be captured on that method.

MR. BROOKS: Great. George and Cliff, heads up. I'm going to Marty, so there might be compliment. I don't know. Marty.

MR. SCANLON: Have you guys looked at (inaudible) economic situation? Have you looked at what the 19 percent, you know, charge to the EM units of the PLL fleet, what the effect would be on that industry? How is that going to affect

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us, and is the PLL industry still 60 percent of the landed HMS species? Do we still land 60 percent of the fish?

(Pause.)

MR. HUTT: George, did you want to take that one? I would say that 60 percent is probably still about roughly accurate. As far as the EM, that's not looking at like impacts of rulemakings. That's really not what we've done with this particular report. This has just been more looking at trends and what-not. But that is something that would be included in Amendment 15.

MR. SCANLON: Well it's not included in Amendment 15. We've asked that question several times. I mean what is going to be the effect of the 19 percent tax on that industry, and what would be the final results to that industry? We had talked about that yesterday with the contraction of the industry since 2015, and the implementation of Amendment 7 at ten percent a year.

An additional 19 percent charge to that industry, what's it going to do to that

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industry?

MR. BROOKS: So Marty, just to be clear, the question is sort of impact on how many boats may bail out, not be able to make it?

MR. SCANLON: Yeah, how many -- you know, what's that going to do to the fleet? How is that going to contract the fleet? You know what's, you know.

MR. BROOKS: It doesn't sound like there's an answer up here, but I can certainly capture it as a question, you know, to be looked at.

MR. BLANKINSHIP: Well, so not having been in the weeds to show you exactly what pages the economic analysis may have captured some of that, the 19 percent estimate of cost of profit comes from Amendment 15, and is included in there. But specific to your question, I think it's the way it's worded is what you're getting at. What is going to be -- because I've heard you articulate this, things like how many boats are going to leave the fishery as a result of that.

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Now that particular question might not be answered in there, but it's included in the economic analysis in the DEIS. We can talk further about that, because I know y'all have had some questions about that.

MR. BROOKS: Thanks. Amy, Steve, are your cards left up? Okay. I thought I saw another card before. Willy, was your card up?

MR. GOLDSMITH: I was just going to ask the same yields questions that Steve asked.

MR. BROOKS: Okay, great. Is there anyone online who has a question on this, or anyone else around the table who has a question?

(No response.)

MR. BROOKS: Okay. If not, then thank you Cliff and thank you George, and I think we can shift to Public Comment. Is there anybody in the room or on the phone who wants to make a comment? For anyone on the Zoom, please raise your hand as Dewey just did, and we will bring you in. If there's anyone in the room, just looking around, raise your hand up so I can see.

Okay. Looks like we just have one commenter

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online. So oh, and Jeff Oden too. Perfect, great, thank you.

All right. So we've got two commenters. We'll go to Dewey Hemilright first, and then we'll go to Jeff Oden and just remind both of you to start with name and any kind of affiliation and the topic you're going to cover, and then if you can hold your remarks to three minutes, that would be awesome. Great. Dewey, over to you.

MR. HEMILRIGHT: Yeah, can you hear me?

MR. BROOKS: Yep.

MR. HEMILRIGHT: Yep, yep. My comments are on A15 and the economic impact it's going to have with having to pay for the vessel monitoring system. I heard today on a few different occasions where the Inflation Reduction Act was cited as giving money to different entities of NOAA or BOEM.

I wonder why that couldn't be used, given the value of us food producers, why some of that money could not be used if it has to be

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continued with vessel monitoring, I mean with electronic monitoring to pay for that?

Also, I don't understand given that HMS does not have no SSC similar to the Council or any type of oversight unless requested, I would hope that they would have the Science Center, request that the Science Center do a peer review of the total A15 amendment, not just the PRiSM model that was cited as used by the Center for Independent, Independent Experts, which are mostly former, probably some former NOAA, NMFS folks?

So we need transparency. It needs more sunshine on this. The National Marine Fishery Service and HMS need to take the time out. As I said yesterday, Amendment 3, Amendment 13, the dust hasn't even settled yet. It would be really good, it's going to have to take no more time if National Marine -- if HMS would request the Science Center to peer review their amendments.

They did it for A14, some of the biological reference points I believe, that they

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requested the Science Center, Southeast Science Center to do that, and they should do that with this amendment. Because the more transparency, if questions can get asked because they're using Science Center data, it would help us fishermen and help everybody understand it more, and thank you for allowing me to comment.

MR. BROOKS: Thanks Dewey, appreciate it. Let's go to Jeff Oden.

MR. ODEN: Hello.

MR. BROOKS: We have you Jeff. We're hearing you Jeff.

MR. ODEN: Hello?

MR. BROOKS: Hi Jeff, we hear you. Jeff, we're hearing you if you want to start your comment. Why don't you type it in the chat?

(Pause.)

MR. BROOKS: Jeff, you want to try to come off mute again?

(Pause.)

MR. BROOKS: Jeff, we may need you to press your unmute button again. You look muted from our end.

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(Pause.)

MR. ODEN: You can hear me?

MR. BROOKS: Yep, we got you.

MR. ODEN: Sorry about that. Anyway, I'm as you know terrible with computers. I've proven that time and again. Anyway, Jeff Oden, commercial fishermen, 47 years, a PLL fisherman for the last 33. Anyway, I would like to comment today.

There was an excellent article this month on "The Gentrification and the Working Waterfront" in *Commercial Fishing News*. I'm sure most of those in the Northeast, Brad, Walter, a few others are aware of it. Anyway, essentially you know, what is happening to the working waterfronts is truly criminal, and actually it's the very agency that we're dealing with here that is, you know, part of the problem.

The sad truth is A15 is going to be a death knell for the community, the fishing village I have adopted, simply because the one I used to fish in, which was Hatteras, had eight fish houses at one time. We're down to two and

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my fish house finally retreated to Wanchese.

Anyhow, they handle all the trucking in that village for the four fish houses that are left in Wanchese, which at one time had ten. There's one, there's one reason for the fight. These fish houses are going south, and it's regulations. I can think of none any more egregious than A15. To simply say that a fisherman who's going to make a set, sometimes I've made three sets in a day, and that's to the benefit of everything.

I mean, you know, (inaudible) time, blah blah blah. I can name a million reasons. I won't be doing that anymore, and our fishing is going to change. The fact is I'm not sure how many fishermen are going to find themselves in a bad spot at a time and say well, I'm throwing in the towel.

You can't make four or five trips in a row and have a crew, a crew expect to come back, knowing they're going to have to pay that debt. And 1,600 bucks might not seem like a lot, but when you're tacking that on to \$5,000 every time

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we leave the dock for the smaller vessels my size, you know, it's not hard to see why the, you know, the communities are drying up.

The sad truth is when Wanchese, which is probably 20 percent of the fishery, there's 17 vessels out of the 82 or so left that are in Wanchese, centered there. There are two industries in Wanchese. One is boat building, multi-million dollar vessels, and the other is commercial fishing. Now when Amendment 15 goes through, commercial fishing in that harbor is likely to come to a dramatic decrease because the PLL fleet carries the load.

It carries it for our fisheries organization as in our state, and we're one of the few remaining industries, viable industries. This amendment is part and parcel to the death kneel for the commercial fishing industry in my state. Wanchese is listed as seafood industrial park. It will eventually be a park where the rich and famous come to get their yachts built, so they can go offshore and catch a protected species and perhaps in a tournament, and come in

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and kick it off the dock.

And finally, you know, there is no other industry that is as efficient as the PLL fleet. I can promise you the Ocean City Tournament that went on a month ago or less, there was a carbon footprint in that one tournament that eclipsed every longline vessel in this country, in this nation, that landed 60 percent of the value of the PLL species that got put on the table of America.

So you know, the truth is we really have to ask this question from a council that has been pushing environmental equity and climate resilience. How much equity can we afford? I think that is the real answer, this council or agency needs to answer. Anyway, I thank you for your time and opportunity to speak.

MR. BROOKS: Thanks very much Jeff. I appreciate your making the time to call in here. Let me just check again and see if there's anyone else who is online who wants to make a comment, who hasn't had a chance or in the room.

(Pause.)

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MR. BROOKS: Okay. I don't think I'm seeing any other comment. So at this point, I think we can move to Wrap-Up here. As far as next steps, I don't think I need to hit again the ones that from -- on vessel strike. We already got, I think, nearly all of the asks Eric has already provided in the chat on enforcement.

I know that we've got folks going to follow up. I think Katie was going to follow up on the two questions there. I think Brian and BOEM team will follow up on the comments there. So I think in terms of next steps we're in pretty good shape here. I'll leave it to you to remind people to get their travel vouchers in.

MR. BLANKINSHIP: I've got it on the list.

MR. BROOKS: Okay. I'll just say thank you all for a really good conversation, and I will hand it off to Randy to close us up.

MR. BLANKINSHIP: Great. Thank you Bennett, and thank you everybody. I want to give a few thanks to some folks. First off and foremost to Pete Cooper in particular, for all

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his tears at every meeting.

Joking aside, thank you very much Pete for all of your work, and the HSMers on his team across our division that have been working here, in-person and online to get this meeting prepared in the days preceding and also during the meeting itself and all the troubleshooting that has been taking place throughout the meeting. Thanks for making it go well.

Thanks to all of our presenters, both HMS staff that presented, as well as others from outside of HMS that presented at this meeting. Thanks to Bennett Brooks for facilitating. Another good job, thank you very much, and thanks to all of you AP members for participating in this meeting, both in-person and online. Thanks again to those that are going off the AP, and much appreciation for all of your time and effort for everybody, for spending time with us and providing the feedback and input that you have.

All right. Please remember submit your travel voucher information and your receipts ASAP by Monday at the latest, and an email from

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Pete Cooper is on its way to you all with instructions if it has not been sent yet. So please do that, so that that will be expedited and won't be delayed.

And with that, I thank you very much for your time. We'll see you at our next meeting, which is anticipated to be in 2024.

MR. BROOKS: Great. Thanks everybody. Safe travels and thanks, thanks to folks online for hanging in for two days.

(Whereupon at 2:18 p.m., the above-entitled matter went off the record.)

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