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2 So we're thinking about rather than  
3 minimizing adverse impacts that it may be more  
4 appropriate to optimize social and economic  
5 benefits to the nation in managing HMS fisheries  
6 consistent with ensuring achievements of other FMP  
7 objectives and all applicable laws. So just kind  
8 of tightening that language up a little bit.

9 Here is a couple of other examples that  
10 you can look at and that are also contained in the  
11 scoping document of just streamlining or combining  
12 objectives. These are a couple of the examples  
13 that we have found that other fishery management  
14 councils have implemented. One is to promote  
15 understanding, compliance and effective  
16 enforcement of HMS regulations. So that's just to  
17 incorporate that concept of enforcement within our  
18 objectives. And then also to promote  
19 ecosystem-based science to support and enhance  
20 effective HMS management.

21 So a lot of this you all saw at the  
22 spring AP meeting. We also tried to solicit

1 recommendations and suggestions from Panel  
2 members, and these are some of the recommendations  
3 that we received from the HMS Advisory Panel and  
4 from public comment. One, that our objectives  
5 refer to management strategy evaluation, to  
6 encourage the development of better technologies  
7 to reduce bycatch and post-release mortality, to  
8 promote bilateral cooperation for coastal shark  
9 species through regional fishery management  
10 organizations, to include more long term and  
11 historical data for stock assessments, i.e. data  
12 rescue, and promote the use of more technology in  
13 data collection, to ensure better and more stock  
14 assessments to eliminate unknown shark stock  
15 status, and to consider more frequent shark stock  
16 assessment updates.

17           There seems to be a lot of shark related  
18 recommendations here. To consider language for  
19 either limiting or increasing fleet capacity to  
20 ensure that fleet capacity is commensurate with  
21 stock status. So the concept there is not just  
22 looking at limiting fleet capacity to ensure that

1 capacity is commensurate with stock status, but in  
2 certain situations to increase fleet capacity as  
3 stocks rebuild, to address the need to increase  
4 revenues for commercial fisherman so that the  
5 fishery is economically sustainable, to add a new  
6 objective to include ecosystem-based fishery  
7 management.

8 MR. BROOKS: Operator, are you able to  
9 mute our teleconference participants?

10 OPERATOR: Yes, one moment.  
11 Participants are muted.

12 MR. BROOKS: Thank you.

13 OPERATOR: You're welcome.

14 MR. PEARSON: And so those were, sort  
15 of, more specific things for adding objectives.  
16 Then we also got recommendations that there should  
17 be measureable goals specified in the FMP  
18 objectives. There was also a comment that the  
19 current FMP objectives reiterate Magnuson-Stevens  
20 Act goals are all of those FMP objectives needed,  
21 and finally, FMP objectives should not use  
22 ambiguous language.

1                   So we certainly have a lot to work with  
2                   over the next coming months, and I anticipate that  
3                   this will be, you know, one of the more labor  
4                   intensive aspects of Amendment 12 is just  
5                   reassessing the HMS FMP objectives. So the second  
6                   issue is the review of stock status determination  
7                   criteria and Sarah will address that.

8                   MS. MCLAUGHLIN: Okay. Under the  
9                   Magnuson-Stevens Act annual catch limits and  
10                  accountability measures apply to all fisheries  
11                  unless otherwise provided for under an  
12                  international agreement in which the United States  
13                  participates. For these stocks, the National  
14                  Standard 1 guidelines provide that NMFS may decide  
15                  to use the status determination criteria defined  
16                  by the relevant international body.

17                  Although the National Standard 1 final  
18                  rule doesn't require a review of international  
19                  status determination criteria, it allows NMFS to  
20                  consider their appropriateness and applicability.  
21                  And this could apply to some ICCAT-managed  
22                  Atlantic tunas, swordfish and billfish.



1                   This slide shows summarized information  
2                   regarding international and domestic stock status  
3                   under the respective thresholds. The  
4                   international thresholds are more conservative  
5                   than the domestic ones, i.e., the international  
6                   threshold is at a higher biomass level where a  
7                   stock is considered overfished if the assessed  
8                   biomass is below the biomass at MSY, maximum  
9                   sustainable yield. And the biomass in any given  
10                  year divided by the BMSY -- if that's less than  
11                  one, that's what we're talking about.

12                  The domestic thresholds or the minimum  
13                  stock size threshold, the MSST, those generally  
14                  account for natural mortality, and often take the  
15                  form of  $1 - M$  (natural mortality) times the  
16                  biomass at MSY. The highlighted rows show where  
17                  there are differences. So, for instance, for  
18                  yellowfin and West Atlantic sailfish we have  
19                  differences as shown on the next slide.

20                  So for the yellowfin 2016 assessment,  
21                  you're going to be hearing about the new  
22                  assessment tomorrow, I believe. The ICCAT status

1 was overfished because the biomass at 2014 was  
2 less than BMSY. The domestic status was not  
3 overfished rebuilding because the biomass in 2014  
4 was greater than the minimum stock size threshold,  
5 but it was considered not rebuilt yet because the  
6 biomass in 2014 was less than BMSY. So the issue  
7 was we have a different threshold for overfished  
8 status internationally and domestically.

9 For West Atlantic sailfish the ICCAT  
10 status was not likely overfished. For the  
11 domestic status, we don't have that term likely.  
12 We have not overfished, rebuilding. So use of the  
13 international status determination criteria may  
14 reduce confusion because it will be consistent  
15 with the ICCAT stock assessments. Stocks not  
16 previously identified as overfished, however,  
17 could be overfished under this higher threshold.

18 Under the Magnuson Act we must assess  
19 the effectiveness of the ICCAT rebuilding plan and  
20 U.S. compliance with the rebuilding plan. Now,  
21 the management implications can be mitigated by  
22 having an international rebuilding plan, and U.S.

1 Compliance with those rebuilding plans. And some  
2 of these stocks the U.S. catch is so small that we  
3 have relatively little impact internationally.

4 Now, also continued use of not likely  
5 for sailfish could create some uncertainty and  
6 that might not be fixed with this amendment. That  
7 might be something that we need to address at  
8 ICCAT.

9 MR. PEARSON: The third issue is review  
10 of HMS standardized bycatch reporting methodology,  
11 the Magnuson-Stevens Act indicates with respect to  
12 any fishery we must establish standardized bycatch  
13 reporting methodology to assess the amount and  
14 type of bycatch that is occurring. Some of the  
15 required procedures may include observer programs,  
16 electronic monitoring and reporting technologies,  
17 and self-reported mechanisms.

18 So the Magnuson-Stevens Act requires  
19 that we establish SBRM. To clarify that NMFS  
20 publishes a final rule establishing guidance to  
21 establish consistent procedures used to collect,  
22 report and record bycatch data in a fishery. It

1 clarified the requirements to identify SBRMs in  
2 FMPs, indicated how -- and SBRM meets its purpose  
3 based on a fishery specific analysis. So we need  
4 to analyze each fishery and report upon the  
5 standardized bycatch reporting methodology,  
6 including the characteristics of the bycatch, the  
7 feasibility of the methodology, any uncertainty of  
8 the data, and how the data resulting from the  
9 methodology are used to assess bycatch in the  
10 fishery.

11           So these are all of the HMS fisheries.  
12 The ones that are in bold are the ones that we  
13 have yet to document standardized bycatch  
14 reporting methodology. So we anticipate doing  
15 that in Amendment 12 for the swordfish buoy gear  
16 fishery, for the tuna green-stick fishery, and for  
17 the recreational speargun fishery for BAYS tunas.  
18 And we're also going to be looking at the bycatch  
19 reporting methodology for all of our other  
20 fisheries to see if they need to be updated, but  
21 the primary fisheries, buoy gear, greenstick, and  
22 speargun.

1                   This is just a description of the SBRM,  
2                   the type of data collection. So there's  
3                   self-reported data, such as logbooks. There's  
4                   open access reporting requirements for the  
5                   recreational fishery under [hmspermits.noaa.gov](https://hmspermits.noaa.gov),  
6                   and there's individual bluefin tuna quota program,  
7                   and VMS catch reporting. So these are some of the  
8                   data collection methodologies that constitute  
9                   SBRM. Observers, the Large Pelagics Survey, and  
10                  the MRIP, and electronic monitoring. The pelagic  
11                  longline camera systems for bluefin tuna bycatch  
12                  reporting.

13                  Amendment 12 would ensure consistency  
14                  with the final rule by including descriptions of  
15                  SBRM for green-sticks, speargun and buoy gear.  
16                  All FMPs must be consistent with the final rule by  
17                  February 2022, and then we must conduct a review  
18                  every five years to verify continued compliance.

19                  The fourth item in Amendment 12 is the  
20                  consideration of allocation triggers for quota  
21                  managed HMS. A recent fishery allocation policy  
22                  directive created a transparent process for

1       accessing when a fishery allocation may need to be  
2       reviewed and what should be considered. It  
3       describes a three-step mechanism to assure that  
4       fishery allocations are periodically evaluated.  
5       For fisheries with an allocation triggers should  
6       be identified within three years or as soon as  
7       practicable.

8                 Only one trigger would need to be met to  
9       reach a fishery quota allocation review. An  
10       example of triggers that could be used to initiate  
11       a review include public interest, time or fishery  
12       indicators, meaning changes in the fishery.

13                So in the scoping document we've  
14       preliminarily identified five potential triggers  
15       to initiate a quote allocation review. The first  
16       would be public comment received by NMFS with new  
17       information to review. That's currently one of  
18       the methods that we do use. So that's public  
19       interest. If we do not receive any comment or  
20       nothing else has changed a maximum of ten years  
21       between review of the allocation for management  
22       group and/or species. So that's time.

1           The third is a species or management  
2           group stock status change based on recent stock  
3           assessment or ICCAT recommendation, so that would  
4           be a fishery indicator. If there's a substantial  
5           change in effort or participation in HMS  
6           fisheries. Again, a fishery indicator. Or the  
7           implementation of a national rule making that  
8           impacts HMS fisheries. So these are the five  
9           triggers that we have preliminarily identified to  
10          initiate a quota allocation review.

11           This is part of a larger process for  
12          adaptive management. It's a three step process  
13          and we are right now at step -- well, we're at the  
14          beginning of step one. The allocation trigger is  
15          met. Step two, if an allocation trigger is met,  
16          say there's a significant change in participation  
17          in a fishery then we ask is a review necessary.  
18          Then we would ask are the FMP objectives being  
19          met, so that's kind of how this Amendment 12 is  
20          tying together some of these steps.

21           So a fishery allocation trigger is met.  
22          Then we say, well, are the FMP objectives being

1 met, and have fishery conditions changed. If we  
2 answer yes to any of those in step two then we  
3 would proceed to step three which is analysis and  
4 evaluation of allocation options for an FMP  
5 amendment. That would require a formal  
6 rulemaking, formal analysis, public comment  
7 period, the full range of the formal rulemaking  
8 process. So it's not just automatically if a  
9 trigger is met then we change the allocation. We  
10 still have to stay are the FMP objectives being  
11 met, is it necessary to review this quota  
12 allocation for this fishery, and then we go  
13 through a formal rulemaking process with public  
14 input.

15           And, finally, and this is somewhat of a  
16 new addition to Amendment 12, we want to address  
17 the timing of the publication of the annual HMS  
18 safe report. Currently, the FMP specifies that  
19 the safe report will be released to the public by  
20 the winter of each year. That's in the FMP. We  
21 are considering options to provide more timing  
22 flexibility, and this was kind of especially the



1 case this most recent year. In the case of  
2 government furloughs, staff unavailability, data  
3 unavailability, weather events, or other  
4 emergencies.

5 We intend to continue to strive for  
6 releasing the safe report annually by the winter  
7 of each year, but we just want to provide a little  
8 bit more flexibility so that we're not tied to  
9 that deadline publishing by the winter of each  
10 year.

11 So this is the Amendment 12 timeline.  
12 Currently, we are in the scoping period. It's a  
13 60-day comment period that ends November 4. We  
14 anticipate having a draft FMP amendment in 2020,  
15 and a final FMP amendment in 2021. So still very,  
16 very early in the process. We encourage you to  
17 continue providing input on Amendment 12. We're  
18 only conducting one webinar for this. It will be  
19 October 8, and there is the information for the  
20 webinar, and hopefully, we'll have a little bit  
21 better luck.

22 Oh, is that October 9. I'm sorry,

1       October 9 from 2:00 to 4:00. There's the webinar  
2       information, and as I indicated, hopefully, we'll  
3       have a little bit better luck than we've been  
4       having this morning with the webinar. But I want  
5       to thank you all for listening to this  
6       presentation and now we'll address and questions  
7       or comments.

8                   MR. BROOKS: Great. Thanks, Rick and  
9       Sarah. And before we get to comments, just to  
10      webinar participants, and I guess to everyone  
11      around the table, the overview document is now  
12      online, so if you want to access that that will be  
13      there. And, operator, if you would open up the  
14      lines that will be helpful.

15                   And let's start with folks -- if webinar  
16      participants, we've got your lines open in case  
17      you have comments. If you could please mute  
18      yourself if you're not talking that would be  
19      helpful so we don't have any background noise.  
20      Thanks. Let's start with webinar participants and  
21      see if you have any questions or comments for Rick  
22      or Sarah on anything they just presented.

1 Webinar, any questions? Comments?

2 Okay. Let's go around the room. David?

3 MR. SCHALIT: Yes, to Sarah's  
4 presentation. Thank you both Rick and Sarah, by  
5 the way. Regarding the stock status determination  
6 criteria this is a serious -- this is an  
7 important, a very important issue, particularly in  
8 connection with any stocks that's being evaluated  
9 or being worked on in the context of a management  
10 strategy evaluation.

11 Looking forward at ICCAT, we will,  
12 presumably, by 2021 have harvest control rules for  
13 bluefin tuna and God only knows with the tropicals  
14 it could be something that we're looking at in the  
15 future as well at these fisheries. I'm  
16 specifically referencing skipjack, yellowfin and  
17 bigeye, would be seemingly run in accordance with  
18 harvest control rules which then means that there  
19 will be thresholds that will be set, key  
20 thresholds in numerous areas that will be set for  
21 these species.

22 So somehow or other we have to -- the

1 U.S. has to come to terms with, I don't know, how  
2 it will manage its view of these stocks and these  
3 thresholds that we're referencing and how that  
4 will related to what ICCAT is establishing on that  
5 level. So, I mean, we can take the view, for  
6 example, that -- I'm just pulling this out of the  
7 air. That bigeye is overfished with overfishing  
8 currently taking place Atlantic- wide, but we can  
9 also say, the U.S. can say that bigeye is, in our  
10 view, in U.S. waters sustainably managed.

11           You know, we can do that. Although,  
12 that's an eternal issue for us. So there are  
13 areas in which I could see that we could deviate  
14 from the ICCAT view for our own internal purposes.  
15 And I think that's perfectly legitimate. I just  
16 wanted to make that one comment.

17           And then getting back to what Rick was  
18 saying, the period reassessment of FMP objectives,  
19 in my view, necessitates the -- that we are, we,  
20 as a body here, the AP, are up to speed on the  
21 national standards, okay. So, for example, we've  
22 had a rewrite recently of National Standard 1.

1 And as I recall my colleague Anna Beckwith here  
2 received a briefing on that at the South Atlantic  
3 Council, and I'm reasonably certain that Rick  
4 Bellavance received a briefing on those changes to  
5 National Standard 1 in the New England Council,  
6 but we haven't received any such presentation.

7 So if we're going to comment on the FMP  
8 in the context of the latest version of the  
9 national standards I think that will be something  
10 important for us to receive, that briefing which  
11 explains the old version and the new version. So  
12 I'm done here. Thanks.

13 MR. BROOKS: Thank you very much. Let's  
14 go to Kirby and then over to Steve or is it  
15 Michael?

16 MR. ROOTES-MURDY: Thank you. Can you  
17 give me some more information on the fishery  
18 indicators? How that, you know, what is it  
19 specifically that would trigger a review?

20 MR. PEARSON: Yes, one would be a  
21 significant change in participation in the  
22 fishery, another might be a sudden stock decrease

1 or a stock increase, or a change in stock status  
2 determination criteria from not overfished to  
3 overfished. Any aspect within the fishery that  
4 may change. A decline in productivity in the  
5 fishery, for example. So just any significant  
6 change that occurs and we think that might trigger  
7 a review of allocation.

8 MR. BROOKS: Yeah, Sarah.

9 MS. MCLAUGHLIN: To David's question  
10 about the National Standard 1 guideline changes.  
11 I think it was two years ago that Karyl and I did  
12 a presentation following this Office of  
13 Sustainable Fisheries presentation on the changes  
14 so we could look back a few years ago to the AP  
15 presentations and point you to the summary of  
16 those changes.

17 MR. BROOKS: Thanks. Let's go over to  
18 Michael and then over to Rick. And just a  
19 reminder, if you could just start with your name  
20 that will help our recorder.

21 MR. PIERDINOCK: Thank you. Mike  
22 Pierdinock, my comments are specific to the ICCAT

1 and U.S. thresholds. Your examples for yellowfin  
2 and West Atlantic sailfish I somewhat have the  
3 same concern that Dave Schalit brought forth. Is  
4 that if we were to have these thresholds  
5 consistent with the international community, many  
6 of which these species were a drop in the bucket  
7 what we land in relation to the rest of the world.  
8 And I would be considered if we did make that  
9 consistency whether that could change our status  
10 and have a detrimental impact on it.

11 I'm just not clear whether that is or is  
12 not the case based upon the presentation. And I  
13 guess I'm not 100 percent clear. Are you just  
14 changing the definitions? You changing the  
15 thresholds? And, if so, is my assumption here  
16 would it have a detrimental impact and then change  
17 the outcome. I think that's the case, but I'd  
18 just like that to be validated. Because I would  
19 hope that wouldn't be because, as you know, many  
20 of these species are small what we land in  
21 comparison to the rest of the world. And we have  
22 been at the forefront of conservation measures

1 here in the U.S. far above many of the other  
2 nations, and to see that that would have a  
3 detrimental impact on us it'd be concerning.  
4 Thank you.

5 MR. BROOKS: Thanks. Rick or Sarah want  
6 to weigh in on that?

7 MS. MCLAUGHLIN: Just to answer the  
8 question, the threshold would change to B over  
9 BMSY like it is at ICCAT rather than reflecting or  
10 accounting for a natural mortality like 0.6 BMSY,  
11 so technically, yes, the number changes, but as we  
12 showed on this slide, we definitely would be  
13 looking at the implications of U.S. compliance  
14 with international rebuilding plan, and our impact  
15 on global or Atlantic-wide catch which could be  
16 very low.

17 MR. PEARSON: We do not anticipate any  
18 implications. We would still be following ICCAT  
19 recommendations. However, we may have to put a  
20 memo to the file indicating that there is an  
21 effective international rebuilding plan in place.  
22 That the U.S. complies with that rebuilding plan.



1 And, if applicable, that the U.S. has a very  
2 minimal impact on it. So, again, if we were to  
3 adopt the international stock status determination  
4 criteria we do not anticipate that there will be  
5 any changes in domestic management.

6 MR. BROOKS: That clarifies. Rick?

7 MR. BELLAVANCE: Thank you, Bennett. My  
8 question is regarding a review of the HMS SBRM.  
9 I'm just trying to make sure I understand it in my  
10 head. The amendment is going to include  
11 descriptions for green-stick, speargun and buoy  
12 because they're absent right now from the HMS SBRM  
13 plan right now?

14 MR. PEARSON: Yes, that's correct.

15 MR. BELLAVANCE: So if that review and  
16 inclusion of the descriptions turns out to be that  
17 they're insufficient or don't meet the SBRM rule  
18 would that facilitate another action to change  
19 that methodology or would it also be -- those  
20 changes be included in this amendment?

21 MR. PEARSON: What we anticipate right  
22 now is simply a description of the bycatch

1 reporting methodologies.

2 MR. BELLAVANCE: So any necessary  
3 changes to reach the overall SBRM rule would be a  
4 subsequent action?

5 MR. PEARSON: Yes.

6 MR. BROOKS: Great. Let me go back to  
7 the webinar folks. Any questions or comments from  
8 AP members on the webinar?

9 MR. HUDSON: This is Rusty.

10 MR. BROOKS: Go ahead, Rusty. Sure. The  
11 question is how do you define public interest and,  
12 sort of, is there a threshold or how do you gauge  
13 if there's enough public interest for that to be a  
14 trigger?

15 MR. PEARSON: It's difficult for me to  
16 answer that. However, if there is -- if we  
17 receive one request to review allocations or if we  
18 get a petition with hundreds of signatures to  
19 review allocations. I'm not sure what that level  
20 would be at, but the most important aspect of  
21 public interest would be that the public brings  
22 forth new information for us to consider why this

1 fishery quota allocation should be reconsidered.  
2 So primarily based upon new information.

3 MR. BROOKS: So more substantive, more  
4 than five comments equals a trigger?

5 MR. PEARSON: Yes, absolutely. Any  
6 request would need to be supported with sufficient  
7 new information.

8 MR. BROOKS: Thanks, Rick. Any other  
9 questions or comments from AP members of the  
10 webinar?

11 MR. HOETER: The paucity of assessments  
12 for most of the sharks particularly prohibited and  
13 others that could prove to be a problem if we  
14 can't find a way, whether (inaudible) eliminated  
15 or something else to find ways to assess these  
16 unassessed stocks. Just want to throw that out  
17 there. Thank you. I'll mute myself.

18 MR. BROOKS: Thanks. Any comment up  
19 here or should I go to the next? Good. Rick?

20 MR. WEBER: Rick, I just want to pick up  
21 on what you were saying because I think it's  
22 really important. If I extrapolated Rusty's

1 concerns there's fear of the mob showing up with  
2 pitch forks demanding that you do something that  
3 does not bring forward new information. That  
4 would be public interest. Your defense is good  
5 and logical. Public interest must bring more data  
6 forward, but that needs to make it into your  
7 amendment because in order to trust what you're  
8 saying now those words not just have to be what  
9 Rick said to us now, but that needs to be  
10 incorporated in.

11 MR. BROOKS: Well said. Thank you. Any  
12 other comments around the table or on the phone  
13 from AP members? Okay. If not, then I think we  
14 can get you to a break a few minutes early. Rick,  
15 Sarah, anything else you want to add in here or,  
16 Randy, anything from you?

17 MR. PEARSON: Nothing here.

18 MR. BROOKS: All right. Karyl, would  
19 you come up to the table?

20 MS. BREWSTER-GEISZ: Hi. In answer to  
21 Dave Schalit's question about when this panel will  
22 receive the briefing on National Standard 1 that

1 was in the spring 2017 meeting. That is not  
2 online, so we're working to see if we can figure  
3 out how to handle that or get you comments or  
4 copies of that presentation.

5 MR. BROOKS: Thank you. All right. So  
6 let's get you to a break. I would ask everyone to  
7 be back in their seats at 10:29 sharp. Chris  
8 Oliver will be here to give leadership update. So  
9 thanks all very much.

10 (Recess)

11 MR. BROOKS: If we could get folks back  
12 to the table that would be good. If someone would  
13 run into that back break room and just remind  
14 folks again that we're starting up, that would be  
15 helpful.

16 MR. BLANKINSHIP: Welcome back, as  
17 everybody's coming back to the table. Please find  
18 your seats. Welcome back those of you on the  
19 phone. It's my pleasure to get the opportunity to  
20 introduce Chris Oliver, the Assistant  
21 Administrator for Fisheries and we're honored to  
22 have him here.

1                   He, as most of you are aware, some of  
2                   you may not be. He originally -- well, not  
3                   originally, but he hails from Alaska, originally  
4                   hails --

5                   MR. OLIVER: Texas.

6                   MR. BLANKINSHIP: -- from Rockport,  
7                   Texas, which is also my hometown. We share that.  
8                   Although we were far enough apart in school that I  
9                   never knew Chris when I was there. Anyway without  
10                  any further ado, Chris.

11                  MR. OLIVER: Was I much younger than  
12                  you? Anyway, yeah, it's pretty big coincidence  
13                  that we're from the same little small town. By  
14                  the way congratulations, Randy, on your recent  
15                  appointment.

16                  Good to see you everybody. I just  
17                  wanted to take a few minutes to come over and say  
18                  hello basically, make a few comments. I don't  
19                  want to take up too much of your time.

20                  I'm actually quite interested in the  
21                  next agenda item. I canceled a meeting later this  
22                  morning to listen in on it on the shark

1       depredation thing. I've been hearing a lot about  
2       that and really keenly interested in seeing that  
3       presentation.

4                   I just want to say thanks for your time.  
5       I know in the best of circumstances, everybody's  
6       got a different life, a different business, things  
7       to do. So particularly given the logistical  
8       challenges that the storm produced, it's good that  
9       we're able to continue with this meeting, because  
10      there are several significant packages, rulemaking  
11      packages, that you're going to be looking at,  
12      providing input on.

13                   I think this administration continues to  
14      look very closely at the issue of regulatory  
15      reform and reducing regulatory burdens. Some of  
16      the things that you're going to be considering  
17      really stem from -- directly from public input  
18      that we got back in the summer of 2017 when I  
19      first came on board. So your input on, for  
20      example, the bluefin tuna area-based management,  
21      the weak hook rule, the ICCAT quota rule, the  
22      shark specs rule all fit -- or could fit into that

1 bin, into that category.

2 You've got big packages with Amendment  
3 13, the data collection for spacial management,  
4 and the Amendment 14 primarily I guess relative to  
5 sharks. Again, I just want to express our thanks,  
6 our gratitude for all the work and time that you  
7 put into this and look forward to seeing what kind  
8 of output comes out of the meeting.

9 I don't want to take any more time. I  
10 just really wanted to come over and say hello and  
11 take time to hear any comments you have or if you  
12 have any burning questions for me. I think we've  
13 got a few minutes before we go into the shark  
14 presentation.

15 Happy to take some questions. I'm  
16 frankly more interested in any observations or  
17 comments that you offer in the realm of what do  
18 you think I need to know, what would you like for  
19 me to hear, what do I need to know when you're  
20 doing your work here this week. If you have  
21 comments in that regard, I'd love to hear them.

22 MR. BROOKS: Great. Thanks, Chris.



1 We've got just about 10 minutes or so for  
2 questions or comments, just let me set those  
3 expectations, so if there's anyone who wants to  
4 weigh in here. Mike, again starting with names.

5 MR. PIERDINOCK: Thank you, Chris, for  
6 coming in today. My name is Mike Pierdinock. We  
7 were just having a brief discussion about wind  
8 turbines and the experience that we've had in  
9 Massachusetts.

10 I participated in a group in New Bedford  
11 that recreational, charter boat, and commercial  
12 fleet was there. We all had comments and  
13 continued input on the sighting of Vineyard Wind  
14 turbines for the past five years, and that went  
15 along and now all of a sudden it came down to your  
16 desk and looks like they're finally looking at  
17 what needs to be looked at.

18 I would only ask as a recommendation and  
19 maybe something that could be done is that the  
20 process seems to be broken. We would be told that  
21 that's BOEM's responsibility, GARFO can't do  
22 anything, Mass. DMF or other agencies can't do

1 anything. They're all pointing that they can  
2 provide comments. We provide them the BOEM and  
3 then BOEM would seem like they dotted the I's,  
4 crossed the T's and got the comments.

5 But it wasn't until now that the  
6 comments and concerns that we had as recreational  
7 fishermen, charter boat, and commercial fleet  
8 didn't seem to be heard and acted upon. There's  
9 some that say, well, it's a shame, because they're  
10 slowing down the sighting of Vineyard Wind where  
11 I'm not saying it's a shame. If they would have  
12 listened to our concerns five years ago and really  
13 acted upon it and took that into consideration,  
14 maybe there would be a different outcome right  
15 now, because we're all for green energy.

16 Now, we have other turbines that are  
17 proposed up and down the coast of the East Coast  
18 and I would hope that the process isn't the same  
19 there or we're going to get this situation that  
20 it's going to come at the end and it's not going  
21 to do what's right.

22 Ultimately as I said, I think

1       unfortunately Vineyard Wind's going to be the  
2       pilot test, meaning entire East Coast. I fish  
3       this area and so my hope it's not going to be to  
4       our detriment of what is the outcome.

5                   I'd just like to know your thoughts and  
6       see if there's anything that could be done to  
7       change that process, because it doesn't seem as  
8       though it's heard until late in the game?

9                   MR. OLIVER: Yeah, I have a lot of  
10       thoughts on that. I'll try to be brief. When I  
11       first came on board a little over two years ago, I  
12       had a stream of people -- fishermen, fishing  
13       representatives -- come to me with concerns over  
14       when energy sighting. I looked at maps and they  
15       said look at this map where all these proposed  
16       leases and sites get fulfilled, look at this map.  
17       I was pretty stunned, because it's like, wow,  
18       where is everybody going to fish, where are we  
19       going to do our research, so I got very interested  
20       in it.

21                   We formed MOU between BOEM and RODA, the  
22       recreational -- or Responsible Offshore

1 Development Alliance, specifically to try to get a  
2 better voice for our fisheries in the process.  
3 Some of the initial attitude was, well, it's not  
4 your business to look out for fishermen's  
5 interest. I said, what the hell, it's not, it is.

6 We as you're aware submitted a  
7 40-something page comment on the Vineyard when  
8 DEIS, EIS, and part of the reason for that was  
9 specifically on concerns with that EIS process,  
10 and we didn't feel that it had done an adequate  
11 job of assessing potential impacts to fisheries  
12 into our own research operations.

13 I think that we have seen a shift in  
14 attitude and I don't know if -- what the cause  
15 was, whether it's a change in leadership,  
16 interior, or change in philosophy of the  
17 administration or the Tucker Carlson show or our  
18 comment letter, a combination of all of that, but  
19 I think we are seeing a shift.

20 Because we were more concerned -- as  
21 concerned about putting a marker down for the  
22 longer term in terms of future EIS on future

1 projects when we submitted our comments on the  
2 Vineyard Wind. We didn't really expect it was  
3 going to cause a delay. I'm not unhappy that it  
4 has, because I think it's a reflection of they're  
5 actually listening to those concerns. The  
6 philosophy now is to do a credible and adequate  
7 job of taking those into consideration, so I see a  
8 positive change.

9 MR. BROOKS: Thanks. Let me get a few  
10 more folks in. I ask you to be as succinct as you  
11 can just so others around the table have a chance.  
12 Marty, you're up next.

13 MR. SCANLON: Well, Chris, I'd like to  
14 first of all on behalf of Bluewater thank you and,  
15 Randy and Brad and Peter, and everybody else that  
16 is -- so does temporary HMS chief for addressing  
17 some of our regulatory reforms that we've  
18 requested and moving them forward.

19 The one thing I'd like to touch base  
20 with you on here is that we -- in that process  
21 we've talked about long-term and short-term help  
22 for the pelagic industry to revitalize it. We

1 have some important decisions to be made here in  
2 Amendment 13 as we move forward, especially  
3 pertaining to the per se category as we look to  
4 either completely close it or as it contracts.

5 The issue I'm bringing up is that we've  
6 never reset the allocation, the beginning of the  
7 year allocation, to the pelagic (inaudible)  
8 industry. That was supposed to be done through  
9 the A7 three-year review process and it is still  
10 not done, still sits in limbo.

11 We've got a lot of serious questions and  
12 answers to be gotten out of A-13 as we move  
13 forward here and we really can't answer those  
14 questions. A-13 is really at this point to me a  
15 waste of time, because until you reset that  
16 allocation and refix that portion of the IBQ  
17 system, we don't have the answers that you're  
18 going to be asking us to try to answer in A-13.

19 So how can we go about getting that  
20 done, that's a major concern of the industry and I  
21 think it will be a major short-term benefit to the  
22 industry to get the hands of the quota into the

1 hands of the active vessels no matter -- I don't  
2 know how we can do that.

3 We have several suggestions that we put  
4 forward, but still seems -- it hasn't really been  
5 addressed. It still sits there. We're still  
6 being allocated on (inaudible) data. We've gone  
7 through an A7 three-year review and now we're in a  
8 post A7 year, and yet that allocation is still  
9 being done pre A7.

10 MR. BROOKS: Thanks, Marty. I want to  
11 give the other folks a chance to get in here.

12 Chris.

13 MR. OLIVER: I think I understand what  
14 you're saying. I may need some help from Randy or  
15 others, but I thought that that was part of what  
16 was being considered in Amendment 13 was that  
17 allocation.

18 MR. SCANLON: No, it is being -- that is  
19 being considered in there, but there's so many  
20 important elements within A-13 that we really  
21 can't answer until that gets done beforehand,  
22 understanding and helping the IBQ system work

1       efficiently and effectively on behalf of the  
2       pelagic (inaudible) industry.

3                   MR. OLIVER: I don't know if it has to  
4       be done sequentially or if that's the first part  
5       you tackle in Amendment 13 and the other decisions  
6       flow from that perhaps or certainly affected by  
7       that. I hear your point.

8                   MR. BROOKS: Rick Bellavance.

9                   THE WITNESS:

10                  MR. BELLAVANCE: Thank you. Thank you,  
11       Chris. Rick Bellavance with Fishery Management  
12       Council. I'm going to take off my counsel hat  
13       here and put on my charter fishing hat for a  
14       little bit and kind of (inaudible) onto what Mike  
15       was talking about with the wind farms.

16                  So at first I appreciate the letter from  
17       NOAA regarding the draft EIS (inaudible). I  
18       thought that was well written and it was certainly  
19       in line with what a lot of fishermen are thinking,  
20       that was excellent.

21                  I also want to raise a little bit of an  
22       issue with the surveying of those areas as taking



1 place right now. Whatever the devices they're  
2 towing back and forth, they're mowing the lawn out  
3 there every day, they're fishing in that area  
4 quite often and it seems like HMS is sort of  
5 absent from that area over the last two seasons.  
6 I don't know if it's a direct correlation to what  
7 they're doing out there, if they're surveying  
8 those areas or not, but it's just something I  
9 wanted to bring to your attention that I've  
10 noticed on the water and little worried about.  
11 It's definitely impacted the fishermen that I know  
12 that fish for HMS in those areas.

13 I guess not quite sure how they enforce  
14 what they're doing. I think they have some  
15 surveying plans that they put together and are  
16 approved, but I'm not a hundred percent sure  
17 they're actually following those plans right, so  
18 didn't know what the enforceability of those plans  
19 were.

20 Just as an example if there's a --  
21 they're not supposed to survey I don't think at  
22 night, but yet we'll see them surveying just a

1 little bit before first light. Not sure how you  
2 go about enforcing that or if there's any advice  
3 you have to us as fishermen to bring that up to  
4 folks and who we bring it up to.

5 MR. OLIVER: I don't have a good answer  
6 for you, Rick. I acknowledge you brought it up  
7 and I heard you and Randy heard you. I don't have  
8 a good answer for you off the top of my head.

9 MR. BROOKS: Thanks. David.

10 DAVID: Thanks, Chris, for coming down.  
11 I just want to add something to Mike Pierdinock  
12 and Rick Bellavance's comments. It's not an  
13 understatement to say that the northeast is right  
14 now in a state of siege in connection with  
15 offshore wind and it's hard to understand -- hard  
16 to project how this is going to play out over  
17 time. We're not just talking about Vineyard Wind.  
18 You've seen the chart.

19 So we are seriously challenged and we  
20 are leaning very heavily. In fact, the only thing  
21 we can do is lean on NOAA for guidance on this.  
22 For that, we absolutely appreciate that letter





















1                   Answers to all of these questions can  
2                   help us as we move forward in trying to balance  
3                   the needs of rebuilding shark populations and  
4                   letting everybody catch what they want to catch.

5                   Because, I don't know about all of you,  
6                   but I love to eat some swordfish, some tuna.  
7                   Those are the first things I go to in any  
8                   restaurant that I go to. I always check to make  
9                   sure they say it's coming from the Atlantic, but  
10                  we do what we can.

11                  So those are the questions. As I said,  
12                  we'll put them up after we hear from Lisa, Craig,  
13                  and Enric. Then after this discussion if you  
14                  still have questions, if you have thoughts, you  
15                  can always reach out to me or to any members of my  
16                  team.

17                  This is the general number. Just ask  
18                  for any of us. Say you want to talk about shark  
19                  depredation and we'll make sure to have somebody  
20                  on the line for you.

21                  So that's all from me. Lisa, Craig,  
22                  Enric is on, so I don't know which one of you want

1 to go first. You're more than welcome to come on  
2 up.

3 Craig, why don't you start.

4 MR. BROOKS: Please come on up.

5 MR. BROWN: Good morning. First of all,  
6 by way of further introduction, I'm the branch  
7 chief down at the HMS Research and Assessment  
8 branch down at the Southeast Fisheries Science  
9 Center and I'm the head of the scientific  
10 delegation of the U.S. to ICCAT's SCRS, which is  
11 the body that's doing the assessments for the  
12 various species covered by ICCAT.

13 With respect to this particular topic, I  
14 actually don't have a presentation. The ones that  
15 are on the website were put together by others,  
16 mainly Enric, so I'll defer to him to go into the  
17 details there, but I can touch in general on the  
18 subject by -- well, first of all, we've  
19 experienced this firsthand in our own work  
20 recently.

21 One of our scientists was on a fishing  
22 trip recently out of Oregon Inlet trying to tag

1 yellowfin tuna. They were somewhat successful,  
2 but the majority of their fish appeared to be  
3 taken by sharks before they could get them  
4 alongside the boat. The reports from other  
5 fishermen in the area was of high shark  
6 depredation rates and there were a lot of concerns  
7 about that, so we've seen it firsthand ourselves.

8           One of the issues that we have with  
9 trying to address this is simply quantifying the  
10 extent of the problem. Our databases haven't  
11 really been structured to address this, to sort of  
12 quantify. We have, for example, in logbook  
13 programs or observer programs we have an option  
14 of, for example, swordfish chunks, which generally  
15 indicates that you only got a part of the  
16 swordfish back and that's generally some kind of  
17 depredation. We can't actually distinguish from  
18 that whether there was marine mammal or sharks,  
19 let alone whether or not which species it was.

20           This is a problem in general with ICCAT.  
21 We have even less data with respect to that  
22 provided ICCAT on a regular basis. So that's one

1 of the topics to think about is how can we  
2 actually get the data that we would need to really  
3 quantify this and correlate that with any sort of  
4 abundance trends in sharks.

5 I think this hasn't been directly  
6 addressed very much at all with any SCRS meetings.  
7 We may need to revisit that and think about it  
8 some more. It's been addressed when discussing  
9 under the Ecosystem and Bycatch Subcommittee.  
10 There was a paper presented on depredation by oca  
11 and that pointed out that in those cases in  
12 certain fisheries they attributed sometimes --  
13 well, certainly more than 50 percent of the catch  
14 of swordfish were lost to oca. Other studies  
15 said that in general there was depredation on the  
16 order of between one to three percent of the  
17 swordfish and lower percent of tuna to combined  
18 marine mammal and shark depredation.

19 So basically this is -- the situation  
20 we're at now is that we recognize it could be an  
21 issue. It can also affect our perception of stock  
22 status, depending on the size, basically the

1 proportion of the catch that is lost. If it  
2 doesn't make it into our records as a catch, then  
3 it affects our indices of abundance, our fishery  
4 dependent indices of abundance. So if, for  
5 example, it's increasing over time, we may see a  
6 decrease in catch rate that to some extent is real  
7 with respect to reflecting abundance trends.

8 So that's basically where we're at from  
9 the perspective of how it impacts our ICCAT  
10 assessments.

11 MR. BROOKS: Karyl, do you want to take  
12 questions on that now or kind of go through all  
13 the presentations first you think?

14 MS. BREWSTER-GEISZ: I think it would be  
15 good to go through all of them.

16 MR. BROOKS: So I see you guys down  
17 there. I've got you in the queue, but we'll push  
18 forward here.

19 MS. BREWSTER-GEISZ: So I think we'll  
20 have Lisa go next. We'll set up her presentation.  
21 We'll Enric last. So Enric is doing it remotely,  
22 so we're hoping that won't break the webinar. So



1 we'll do Lisa first.

2 MS. NATANSON: While he's putting up my  
3 slides, thank you for having us -- me back again.  
4 You remember last year I talked about our  
5 northeast survey. They actually asked me to talk  
6 about the southeast survey this year since the  
7 participants are at sea right now and can't do it  
8 themselves, so you'll have to bear with me a  
9 little bit because it's not my survey.

10 I'm going to start with that and then  
11 I'm going to get into the depredation on the  
12 southeast, northeast surveys, observer program,  
13 and COASTSPAN.

14 So the southeast bottom longline survey  
15 out Pascagoula is an annual bottom longline  
16 survey. It's a 60-day survey and it started in  
17 1995. You might remember last year we said we  
18 changed all of our format and our gear in 1995 to  
19 match this survey.

20 They have made changes, but since 2001  
21 their changes have -- they stayed the same. They  
22 used an NOAA vessel and they do the coast all the

1 way -- Gulf of Mexico all the way up to Hatteras.

2 So they do about two to 300 stations.  
3 They have days to do it in and they go from July  
4 through September, which is why they're of course  
5 out now. They use a random stratified sampling  
6 method with proportional allocations based on the  
7 (inaudible) and you can see what those are. They  
8 are most heavily fished in the Gulf of Mexico.

9 Their (inaudible) is different than  
10 ours. They're one mile mainline and that's their  
11 big criterion. They have 100 hooks that they put  
12 between that. They have three weights, one in the  
13 middle, two on the ends. They started out using  
14 the J hooks like we use, but ultimately they  
15 expanded this into a snapper-grouper survey as  
16 well and the circle hooks fit their protocols  
17 better, so they're using those now. They bait  
18 their hooks with mackerel, half mackerels, and  
19 pretty similar setting to most bottom longline.

20 So this kind of wordy slide basically  
21 says that they have a really kind of neat method  
22 to enter data by hook, and you'll see more of this

1 as it goes. So they have this computer on deck  
2 and -- during all operations where they can track.  
3 It's set to the GPS and you can see it -- you can  
4 press a button when you deploy a weight, when you  
5 apply a hook, that kind of thing.

6 So they collect environmental data at  
7 every set they -- including temperature, salinity,  
8 water clarity, dissolved oxygen, chlorophyll,  
9 bottom type weather conditions, all the typical  
10 stuff.

11 At haulback they collect biological  
12 data. For the most part they tag or release their  
13 fish. But of course if they die, they will  
14 dissect them and get information on age, growth,  
15 reproduction, food habits, DNA, anything else that  
16 anybody else asks for. However, most fish are  
17 tagged. They also obviously did a lot of teleost,  
18 so this isn't solely sharks like ours.

19 So again at haulback they track by hook.  
20 Every hook has a hook timer, so if there is a  
21 shark, they have information that they can put in  
22 on that. They track the bait whether it was

1       bitten, whether it was damaged. They track all  
2       the fish. That's where they can put their  
3       depredation events in as well. As you can see,  
4       it's fairly detailed information. Then if they do  
5       bring shark on board to sample, they can barcode  
6       it and put all the data in there, kind of a neat  
7       system.

8                 So they're data as ours go into the  
9       stock assessments. It also goes into the grouper,  
10      snapper, and tilefish, because they catch a lot of  
11      other fish, and their indices have shown a  
12      decrease in sharpnose. It's like decrease in  
13      blacknose and blacktip, and an increase in  
14      sandbar.

15                If you have questions about that, you  
16      can contact Trey. Afterwards you can ask me. I  
17      can answer some questions probably.

18                So now on to what you're really  
19      interested in this session. These are a few of  
20      the sharks that we brought up on our survey.  
21      Obviously we're seeing what you're seeing. This  
22      is more shark on shark, but a variety of species

1 getting bitten up before they come on board.  
2 These are some of the guys that are doing it.  
3 We've seen tigers, duskys, sandbars, and sand  
4 tigers all just going down the line biting  
5 sharpnose that had bitten our bait. So starting  
6 in about 2001 we started tracking it. As you can  
7 see on the right, this is the sharpnose. Most of  
8 the sharpnose we get are pretty much depredated in  
9 some form or another. A lot of times we just get  
10 heads.

11 The other species are a little more  
12 variable, mostly because we don't get that many  
13 bitten up. You can see in the bottom right, the  
14 sandbar, we've only had 15 over the course of the  
15 survey and the dusky 11. But as can you see, the  
16 trend has been increasing particularly since 2012  
17 and that is driven on our survey by the sharpnose.  
18 You can't really go by the total.

19 So moving to Pascagoula survey -- and  
20 these are percent of total. These are only the  
21 fish who do have depredation events on them, only  
22 those species. So their total has also gone up.

1       If you look at the blacknose and blacktip, they  
2       kind of went up and then went back down. The  
3       smoothhounds and sharpnose sharks are really  
4       driving their increase in depredation events, and  
5       the grouper and snapper, again they had that kind  
6       of peak and then went back down.

7                 This is the bottom longline observer  
8       program. This is calculated a little differently.  
9       He did proportion by sets. You can't really see  
10      too much of a clear trend, although maybe since  
11      about 2012 it went up and stabilized a little bit,  
12      not that teleosts seem to be kind of all over the  
13      place.

14                Then this is our COASTSPAN survey, which  
15      is an inshore survey done in the base of estuary.  
16      In the juveniles, you can see there's no clear  
17      pattern. It really doesn't have anything in the  
18      small hook juvenile survey. There's a little more  
19      in the large hook survey that we've observed.

20                You'll notice kind of a peak in 2015 for  
21      the smooth dogfish and that was a couple of sets  
22      that one fish had just gone down the line and

1 eaten a bunch of smooth dogfish.

2 So you can see that we are seeing it.  
3 We're seeing it by a lot of different species. In  
4 some cases, by species it's increasing. That's  
5 it.

6 MS. BREWSTER-GEISZ: Thanks, Lisa.

7 MR. BROOKS: Stay close to the  
8 microphone. I'm sure there will be questions  
9 here.

10 MS. BREWSTER-GEISZ: Enric, do you want  
11 to start talking and see if that works.

12 MR. BROOKS: Go ahead.

13 MR. CORTES: So I was asked to give a  
14 little overview on the status of the different  
15 coastal sharks. We have (inaudible) also on  
16 trends an abundance of fishing mortality from  
17 (inaudible) perspective, so that's what I'm trying  
18 to do here.

19 If you get an overview of (inaudible)  
20 what is the status currently of the various  
21 Atlantic coastal shark, how has the status changed  
22 with respect to previous stock assessment, and

1 then examining the trends in biomass or different  
2 measures we use abundance or (inaudible) and  
3 fishing mortality in terms of MSY benchmarks  
4 (inaudible) and see how those trends are going.  
5 So I'm using the word large coastal shark and  
6 small coastal sharks here in an ecological way,  
7 not in a management way. So I'm including some  
8 sharks that may not fall in that category from a  
9 management standpoint.

10 But looking at what would be large  
11 coastal sharks, I've summarize here the latest  
12 assessment (inaudible) that were undertaken for  
13 sandbar, dusky, (inaudible) blacktip and scalloped  
14 hammerhead. So as you know the latest stock  
15 assessment of sandbars still found that they were  
16 overfished, but no overfishing.

17 However, we looked at the overall trend  
18 (inaudible) compared to the previous assessment,  
19 SEDAR21, 2011. That status has improved and so  
20 have the overfishing status and that was reflected  
21 also by an increase in TAC of about 10 percent as  
22 a result of the latest stock assessment.



1           Dusky as we all know is still overfished  
2           with overfishing. However, even though  
3           (inaudible) overfishing, the status has improved,  
4           so the biomass has increased and the degree of  
5           overfishing has (inaudible) and that was also  
6           reflected in (inaudible) by the projection  
7           guideline, which is 2070.

8           The chart which has been healthy all  
9           along. The status actually has also improved with  
10          respect to the previous stock assessment in 2012.  
11          In (inaudible) in the Atlantic, most in the south  
12          Atlantic, was -- the previous assessment was not  
13          expected back in 2006, 2007 by the reviewers.

14          We are currently reassessing with a  
15          benchmark assessment this stock, so there is  
16          nothing to compare to now to previous assessment.  
17          Also scalloped hammerhead, which was assessed  
18          externally years ago. We have not reassessed yet,  
19          but we are planning on starting late next year and  
20          well into 2021 and maybe beyond, and that's  
21          (inaudible). So now taking a more individual look  
22          at each of these assessments, first for the

1 sandbar shark, both (inaudible) indicates  
2 (inaudible) we use for sharks and the bottom block  
3 refers to the fishing mortality or harvest rate,  
4 depending on the time of assessment.

5 Essentially for sandbar shark, we see a  
6 percent increase in biomass since 2008 and  
7 (inaudible) about 68 percent, so there is an  
8 improvement. Was there a --

9 MR. BROOKS: No, push on.

10 MR. CORTES: May I continue?

11 MR. BROOKS: Yes, please, Enric,  
12 continue. Enric, are you still there?

13 MR. CORTES: Yeah, I was hearing the  
14 conversation.

15 MR. BROOKS: Yeah, we all were, we were  
16 trying to make the conversation go away. You've  
17 got the floor, go ahead.

18 MR. CORTES: Okay. So there's always  
19 something new then. So for dusky sharks, the rate  
20 of decline in (inaudible) has slowed down in  
21 recent years, particularly since 2001. And that  
22 decline, as you see the board graph, particularly

1 since 2000, and has further decreased by 9 percent  
2 since 2010. So it's also improving.

3 For Gulf of Mexico the chart here  
4 provide results from the base of prevocational  
5 makeup of nature which were considered the stock  
6 has always been in good shape and has even been  
7 increasing since approximately 2000. And has been  
8 decreasing since the early 1990s, and always been  
9 low.

10 Now with hammerheads, this again was an  
11 assessment that was done years ago. Even though  
12 the stock was overfished, you can see that even  
13 back then, since the mid- 90s, there was slightly  
14 increasing trend in biomass. And the trend, you  
15 can see in the bottom funnel, the trend in fishing  
16 mortality was quite alternating between  
17 overfishing and not overfishing. I was  
18 overfishing in the terminal year that it says.

19 So the combined view for all these large  
20 coastal sharks in terms of biomass is that even  
21 though three of these are overfished, the trend in  
22 biomass at the time of the latest assessments were

1 increasing, and the decrease had stopped for dusky  
2 shark.

3           And in terms of fish mortality, I lost  
4 my little sharks here, you can see that only dusky  
5 shark here in the red was slightly in an  
6 overfishing status as well, as I mentioned before,  
7 as well as scalloped hammerhead.

8           Okay. So now moving on to small coastal  
9 sharks, and here I include, as I said before, some  
10 of the sharks which are not in that management  
11 group that we have assessed recently. So I have  
12 finetooth, blacknose, Atlantic sharpnose,  
13 bonnethead, smooth dogfish and some other  
14 smoothhound complex. Finetooth was like the first  
15 years ago and there was no overfished or  
16 overfishing status. Blacknose Shark in the South  
17 Atlantic was reassessed in SEDAR21, and the status  
18 was still overfished, with overfishing. The  
19 overfished status had slightly improved, but the  
20 overfishing status had actually decreased or  
21 worsened.

22           For the Gulf of Mexico, again, this was

1 one was not accepted by the reviewers for a number  
2 of technical issues.

3 Atlantic sharpnose shark and bonnethead  
4 were both reassessed in 2013, and they were all,  
5 both of them were not overfished with no  
6 overfishing occurring. And both of their status  
7 with respect to these two benchmarks, had improved  
8 compared to the previous assessment back in 2007.

9 Smooth dogfish and smoothhound complex  
10 were assessed a few years ago, 2015, and neither  
11 of them are overfished, nor overfishing occurring  
12 for these sharks.

13 Again, very quickly, for finetooth shark  
14 where we show as stable in trajectory in a low ebb  
15 throughout the time series of the assessment. For  
16 the blacknose shark, which was, as I said, the  
17 only one that was in a bad status, we had an  
18 overfished condition here at the right axis, and  
19 an overfishing condition here, looking at the left  
20 axis. Atlantic sharpnose shark, not overfished,  
21 no overfishing, with increasing biomass and  
22 decreasing ebb. Same situation for the bonnethead

1 shark.

2           For the smooth dogfish, again,  
3 increasing biomass in the late 90s and generally  
4 decreasing ebb as well. And for the smoothhound  
5 complex, we had an essentially overall increasing  
6 trend and a slightly decreasing ebb trajectory  
7 throughout the assessment.

8           Again, looking at the combined picture  
9 for all these small coastal sharks, we see that  
10 the only one that was in an overfished status was  
11 the blacknose shark, Atlantic stock, and as well  
12 showing very high level of overfishing for this  
13 particular stock.

14           So again, now putting all the stocks  
15 together, both large and small coastal, we see  
16 again, just as a recap, that only the sandbar,  
17 dusky, blacknose shark in the South Atlantic,  
18 scalloped hammerheads, showed an overfished  
19 status. But with the exception of the blacknose  
20 shark in the Southern Atlantic, the general trend  
21 was improving.

22           And in terms of relative fishing

1 mortality, the only ones that were in an  
2 overfishing condition were dusky shark, not by  
3 much. The indeterminable year scalloped  
4 hammerheads and again the South Atlantic stock of  
5 blacknose shark.

6           So just to reiterate, all our coastal  
7 shark stocks which have been reassessed, so when  
8 there was a previous assessment, have improved  
9 fishing status from the previous assessment, even  
10 if some of them continue to be in an overfished  
11 status, like sandbar and dusky. And all small  
12 coastal sharks we assess with the exception of the  
13 blacknose shark in the Atlantic, Atlantic southern  
14 blacknose shark, overfishing status, have  
15 improved, both, like I said, in terms of biomass,  
16 increased biomass and decreased volatile fish  
17 mortality.

18           And this is the end of my presentation.

19           MR. BROOKS: Great. Thank you very  
20 much, Enric. What I'd like to do is open it up  
21 first just to some clarifying questions on the  
22 three presentations and then hand it back to Karyl

1 to reintroduce her questions.

2 So for folks who have their cards up  
3 again, just focus first on clarifying questions  
4 from the presentations. And let's go, I've got  
5 Anna, Marcus, Marty, David, and Mike. So Anna.

6 MS. BECKWITH: Mine is not clarifying.

7 MR. BROOKS: Okay. Clarifying  
8 questions. Marcus. Not yet? Okay. Marty,  
9 clarifying question? Nope? David, clarifying  
10 question?

11 MR. SCHALOT: I believe so.

12 MR. BROOKS: I'll be the judge of that.

13 MR. SCHALOT: Dr. Brown mentioned that  
14 there's a dearth of data on depredation. And we  
15 all live and die by our data, so I'm wondering if  
16 there's - I mean I'm assuming that there is a  
17 problem with shark identification in that  
18 particular context because sometimes the shark  
19 will attack a species but in a way in which it is  
20 impossible for the fishermen to identify the  
21 actual shark species. In some cases yes, in other  
22 cases no.



1                   So I'm wondering if there's some  
2 methodology that would extrapolate from the data  
3 in which a sighting and a species was properly  
4 identified, to encompass all such acts, you know,  
5 that took place in the same area, approximately  
6 the same time. Is that something that's viable,  
7 from your point of view?

8                   MR. BROOKS: Craig, can I recommend you  
9 come up to the table, and probably Lisa too.

10                  MR. BROWN: I'll start off with just a  
11 brief answer and pass it along. But I think that  
12 implies that there's some subset of the data that  
13 actually has that information. Which I'm not sure  
14 if that exists. If it were, I suppose it might be  
15 in some observant data. But generally to identify  
16 the sharp species I think you either have to see  
17 the shark attacking a fish, or sometimes from a  
18 bite, but I think that's rather imprecise. So  
19 unless you actually have a tooth in the wound I'm  
20 not sure you can identify it for sure to a shark  
21 species, when a fish is hauled up already half  
22 eaten. But I'll pass along and see if there's any

1 data that we might have.

2 MS. NATASON: No, I agree. Unless you  
3 can see it or have something like a tooth, I don't  
4 know how you would know, but.

5 MR. BROOKS: Mike, did you have a  
6 qualifying question?

7 MR. PIERDINOCK: Well one thing I can  
8 probably help you clarify here is one of the  
9 issues is not in sharks as far as depredation is  
10 in the pelagic coastal industry, the biggest  
11 problem we have is on pilot whales. And that's  
12 pretty easily identifiable in the pelagic coastal  
13 industry because I don't know if anybody's aware,  
14 is the whale doesn't go and take and bit the fish  
15 piece by piece. I've actually seen the whale come  
16 right up behind 140 pound bigeye and grab ahold of  
17 the bigeye, the whole body in its mouth, and suck  
18 that fish right out from its gill plates. And the  
19 only thing that's left on the hook would be the  
20 gill plates minus everything else, or the lips.  
21 So it's pretty distinguishable that it was a pilot  
22 whale. But I've actually seen that happen with my

1 own eyes where the whale came right up and sucked  
2 him like a grape off a vine.

3 MR. BROOKS: Marcus, clarifying?

4 MR. DRYMAN: No, but just to speak to  
5 David's specific question. We've developed a  
6 technique where you can identify the species of  
7 shark responsible for the depredation event. So  
8 using, you know, dozens of instances of catch  
9 documented or camera documented depredation we  
10 were able to validate a genetic technique so just  
11 like in forensics where you take a swab and you  
12 swab the remains of that fish. If you're very,  
13 very careful with the way you handle the tissues  
14 and whatnot, you can identify it to species very  
15 accurately. And our data show that in our region  
16 it works really well.

17 So just to clarify that particular  
18 question.

19 MR. BROOKS: And, Marcus, is that a  
20 scalable technique or is it pretty labor  
21 intensive?

22 MR. DRYMAN: Yes, right. So scalable

1 and labor intensive. So, yeah, it's just a matter  
2 of, you know, storing the swabs and then having  
3 them analyzed.

4 MR. BROOKS: I want to see if anyone on  
5 the phone has a clarifying question, anyone of our  
6 participants clarifying questions.

7 Thank you, operator. Any clarifying  
8 questions? Sorry, say that again. Okay.  
9 Operator, if you can re-mute the Webinar, please.  
10 And Raimundo, I'll let you --

11 MR. ESPENOZA: Oh, hi, this is just a  
12 clarifying question. None of this work has been  
13 done in the US Caribbean, right?

14 MR. BROWN: I'm not aware of anything.

15 MR. BROOKS: All right. Alan,  
16 clarifying?

17 MR. WEISS: Yes. Thanks. I think that  
18 the greatest likelihood within the pelagic  
19 fisheries for shark depredation would be from  
20 pelagic sharks, but all the data that has been  
21 presented this morning is pertaining to coastal  
22 sharks. Why nothing about pelagic sharks?

1                   MS. NATANSON: When we do our survey  
2                   it's a coastal survey, that's why we presented  
3                   that. I have been on commercial longline vessels  
4                   many times and you can definitely tell a mako  
5                   verses another species. But I don't have numbers  
6                   for that so I couldn't present that.

7                   MS. BREWSTER-GEISZ: Enric, would you  
8                   have any information, or if you wanted to talk  
9                   about the status of some of the pelagic sharks?

10                  MR. CORTES: Pelagic sharks because  
11                  that's at issue, as you know, and so there is  
12                  management by other countries. But the stock  
13                  status is, if people don't know it, the blue  
14                  shark, the North Atlantic blue shark stock is not  
15                  overfished, and there's no overfishing. The  
16                  shark, mako latest assessment in 2017 found that  
17                  the stock was overfished with overfishing  
18                  occurring. And before, people know North Atlantic  
19                  stock back in 2009 would have said to be  
20                  overfished with no overfishing occurring.

21                  MR. BROOKS: Enric, I have a question  
22                  for you too. Maybe this is an unfair question,

1       feel free to pass, but given what you are seeing  
2       in the various abundance trends and what the  
3       agency is hearing about sort of the increase in  
4       depredation, is that not surprising to you, or do  
5       you see enough movement in the abundance trends  
6       that increase in depredation or the reporting of  
7       depredation, you know, that that could be just  
8       sort of that growth that you're seeing?

9                 MR. CORTES:  So if I understand  
10       correctly you're saying if the increasing  
11       depredation is reflected in the increase of  
12       abundance?

13                MR. BROOKS:  Yes.  Is that at least  
14       plausible to think that increase could be tied to  
15       the types of increases you're seeing, or trends  
16       you're seeing in abundance?

17                MR. CORTES:  It's possible, but we would  
18       have to tie the specific timing of the rates of  
19       depredation trends with those in the assessment to  
20       see if there was any correlation.

21                I would also be a little cautious about  
22       using that as a direct indication because the

1       depredation, I mean sharks are attracted to bait,  
2       obviously, and the vibration in the water and the  
3       blood. And so this could also be viewed in a way  
4       as a case of hyper stability in which you are  
5       attracting, you know, the abundance I submit that  
6       you are getting from a relative abundance index  
7       may not be solely related to overall abundance.  
8       But having said that, yeah, I think that what I  
9       was trying to show in the presentation is that the  
10      trends in shared abundance are generally  
11      increasing, therefore that means there are more  
12      sharks, so there is a correlation you would expect  
13      depredation to go up I believe.

14                 MR. BROOKS: Okay. Thanks. So, Karyl,  
15      maybe you can sort of remind us of the questions  
16      and then we'll open it up for just general  
17      discussion.

18                 MS. BREWSTER-GEISZ: Sure. So the  
19      questions are up on the screen. They focus on if  
20      there are certain fishing techniques or strategies  
21      you have noticed that might affect sharks. Sorry  
22      about all the humming up here. Whether or not

1       there seems to be a seasonal issue in your area,  
2       what the impacts are to profits or, in the case of  
3       charters, to people booking. And if you have  
4       suggestions on how we better quantify the extent  
5       of the problem.

6                 These are suggested questions. If you  
7       have other thoughts, you know, you can certainly  
8       go off book.

9                 MR. BROOKS: Great, perfect. Thanks,  
10       Karyl. Let's go to Anna first and then over to  
11       Marcus.

12                MS. BECKWITH: Thanks. The South  
13       Atlantic Council has certainly heard a lot of  
14       comments recently on this issue, and we did  
15       provide a letter to HMS. It seems like the  
16       majority of our concerns are coming from North  
17       Carolina and Florida, and it is taking up a  
18       significant amount of our public comment time.

19                In general the concerns focus on  
20       primarily large coastal sharks with some  
21       additional concerns surrounding the hammerheads,  
22       specifically for the snapper/grouper fisheries in



1 terms of fishing techniques. We're hearing  
2 complaints across all our fisheries. I mean with  
3 significant damage occurring to tail bags and our  
4 shrimp trawlers, and mutilated fish concerns for  
5 hook and line, bottom longline and spears.

6 We've of course heard some anecdotal  
7 stories that folks are basically saying that these  
8 sharks, you know, it might be an increase in  
9 abundance, but they also might be learning the  
10 behavior and being attracted to boats. So they're  
11 becoming the equivalent of a marine version of a  
12 trash panda.

13 So we don't know how to, you know, make  
14 this better. We've certainly provided some  
15 suggestions to work with the commercial industry  
16 to fully achieve the quota for large coastal  
17 sharks. It seems that people feel like  
18 depredation is better when the commercial fishery  
19 is occurring. You know, we would personally like  
20 to see the retention limit stepped up during the  
21 regionally important peak fishing times, which for  
22 us in the summertime, for tourism in the South

1 Atlantic. And there have been some suggestions  
2 that we'd like to see the opening of the silky  
3 shark fishery, recognizing that there are some  
4 identifying, you know, issues between silky sharks  
5 and some of the other for the recreational  
6 fishery.

7 In terms of specifically your questions,  
8 you know, chumming, chunking, I mean we're sort of  
9 seeing it across the board so. Impacts to fishing  
10 profits and charter bookings, I don't get the feel  
11 that it's necessarily impacting charter bookings,  
12 but it's certainly impacting the satisfaction of  
13 those trips and, you know, increasing angler  
14 frustration. And of course the commercial guys  
15 are seeing decreased profits due to less  
16 marketable fish because they're coming up  
17 mutilated. So not anything that's a surprise.

18 MR. DRYMAN: Okay. Thank you. Marcus  
19 Dryman, Mississippi-Alabama Sea Grant. So much  
20 the same as what Anna just said. I think it  
21 really boils down to two very broad categories,  
22 characterization and then mitigation. And then

1       that those are of course things that need to be  
2       addressed in tandem, but two separate things.

3                 In terms of the characterization, I  
4       mentioned briefly the genetic technique we  
5       developed. And what that suggests is in our area  
6       it is primarily sandbar sharks. But when we look  
7       at our camera catch data from areas like Texas and  
8       Florida, the dynamics of depredation change  
9       wildly. In Texas it's just as easily barracudas  
10      and amberjack that are depredating snapper/grouper  
11      fisheries. And in Florida of course there's the  
12      additional problem of goliath grouper.

13                So to me it speaks to the need for a  
14      broad scale characterization of depredation across  
15      fisheries. Like Anna says, especially in the  
16      shrimp trawl fishery, they're experiencing  
17      significant impacts right now. But suffice to  
18      say, the species doing the depredating in Texas is  
19      not going to be the same as the one in  
20      Mississippi, Alabama, and that's not going to be  
21      the same as the one in Florida.

22                So just as a starting point, we need

1 even just basic surveys of commercial fishermen to  
2 understand what these dynamics are because they're  
3 the ones that know.

4           Then in terms of the mitigation, we've  
5 been trialing several techniques based on what we  
6 hear from the fishermen in our area. And that's  
7 largely the things like magnets, some chemical  
8 deterrents, those both show promise in terms of  
9 mitigation. So once we understand what the  
10 dynamics of depredation look like and how that  
11 varies across the Gulf, then we can better target  
12 mitigation techniques towards specific species.  
13 Because the literature shows that a mitigation  
14 strategy for one species won't necessarily work  
15 for another.

16           So I guess to that I would just urge  
17 NOAA to prioritize funding through CRP, Morfen,  
18 SK, BREP, whatever, for proposals that want to  
19 characterize and/or mitigation depredation.

20           MR. SCANLON: Well we want to just make  
21 a quick, you know, comment on, you know, the  
22 devastating effects of depredation as far as

1 economic impact on our industry, you know, as well  
2 as between the sharks and the pilot whales. You  
3 know, we continually rebuild these stocks and, you  
4 know, we continually hear that the stocks are  
5 rebuilt, yet we see on the water they have this  
6 depredation going on, which has a dramatic effect  
7 on our overall income, you know. So I think  
8 that's important to take into account here and a  
9 reason to try to come up with a solution to this  
10 problem.

11 MR. BROOKS: Thanks, Marty. David.

12 MR. SCHALIT: Yeah, is there any value  
13 in considering the collecting of depredation data  
14 for the purpose, the express purpose of creating  
15 an index that would indicate or potentially  
16 support trends in abundance? That's something,  
17 you know, we're always having to look for new  
18 indices, and I wonder if that might be one of  
19 them.

20 Then I have something for Marcus. You  
21 were referencing genetic barcoding. Is that it?  
22 Okay. That's very inexpensive now I understand

1 from Dr. Golet. Thank you.

2 MR. BROOKS: Thanks. Anyone want to  
3 jump in on any of those?

4 MR. BROWN: Well, again, I think to do  
5 something like that, if you're talking about an  
6 indices tracking the shark abundance, I think we  
7 would have to rely on something like the genetic  
8 techniques to identify the species for it to be of  
9 any use. But if you were going to invest in that  
10 with the labor and the cost, then it would serve  
11 multiple purposes obviously, you know,  
12 characterize your depredation by species as well.  
13 But, yes, that could be another means, whether  
14 it's better than the fishery dependent indices,  
15 I'm not sure.

16 MR. BROOKS: All right. Let's get a  
17 couple of folks who haven't been in. Let's go to  
18 Walter and then over to Stephen and back across  
19 the table.

20 MR. GOLET: All right. I'll give the  
21 microphone a try here. I just thought of some  
22 numbers really to put into context what Craig was

1 talking about before. So the trip he was  
2 referencing was one that myself and Dr. Jeff  
3 Kneebone, who is here in the audience, was on in  
4 North Carolina this year. We're working with them  
5 to just sort of start to collect information on  
6 what the impacts of this might be.

7           But I'll just give you one example where  
8 we surveyed the fleet. We were down there trying  
9 to apply satellite tags. It was very difficult,  
10 Jeff can attest to this. Four big guys on at one  
11 time, six big guys on at one time, you don't get  
12 any of them to the boat. The one day that we did  
13 keep track of it we lost 177 yellowfins and 22  
14 bigeyes in one day. And those yellowfins were  
15 between 35 and 55 inches long, and the bigeyes up  
16 to 65 inches long.

17           So just to kind of give you a context of  
18 what this particular fleet is dealing with, you  
19 know, their take to get to Anna's comments,  
20 they're taking clients out there with the  
21 expectation of not only catching fish, but, let's  
22 face it, if you're paying for a charter, lot of

1       guys want meat. And so you'll get meat, but  
2       you'll get what Marty's talking about, which is  
3       just kind of the skull. So just to put that into  
4       context.

5                   And also I'll bring up some of the old  
6       stuff that we did with Dewey and Jeff. Again,  
7       this is just very basic numbers, I'm not saying  
8       this as implications for abundance, etcetera, but,  
9       you know, the two sets we made with Dewey, 673  
10      hooks were set, 151 dusky's were caught, 175 bite  
11      offs. Just on two sets off the point.

12                   So anyway, just to give some context.  
13      Thanks.

14                   MR. GETTO: Just to give the group some  
15      personal experience, I'm a bluefin fisherman in  
16      the Northeast. I've had two white shark attacks  
17      on bluefin. Both on rod and reel. You know, one  
18      fish was bitten in half and was dumped. The other  
19      one was salvageable, but, you know, there are  
20      enough there that we're seeing attacks, frequent.  
21      One was on Northern Jeffries, one was on  
22      Stellwagon. So it's not like I'm fishing off Cape



1 Cod Bay or anywhere there, you know, where they're  
2 really piled up where Greg sees them. So they're  
3 there and they're doing it.

4 MR. SAMPSON: Yeah, Mark Sampson. I  
5 fish out of Ocean City, Maryland, which a lot of  
6 people may or may not know it's a very popular  
7 resort town. Through most of the summer we're  
8 fishing probably within five or 10 miles of the  
9 beach. Every year after Labor Day, immediately  
10 after Labor Day we start having trouble. Not with  
11 sharks, we're trying to catch sharks, but with  
12 seagulls. The seagulls suddenly start attacking  
13 our bait. And we've always come to the conclusion  
14 that's because less people on the beach feeding  
15 the seagulls their French fries and Cheese  
16 Doodles. Suddenly they're a hassle for us.

17 In recent years, probably within the  
18 past eight to years, we have seen, and I have a  
19 lot of logbook data that can verify this, a lot  
20 more of the smaller sharks that we catch,  
21 particularly the dusky and spinner sharks, that  
22 have, they show signs of the predation scars from

1 sharks on them. I have a lot of photographic  
2 record of this.

3 Also, Marcus, I don't know if this would  
4 play into your thing, but it just seems that,  
5 again, in the last decade anyway, we've been  
6 seeing more and more of this. Now my thought on  
7 the matter has always been, you know, perhaps this  
8 is a sign that the natural prey of the sharks is  
9 being depleted to some degree. So I just throw  
10 that out as something to consider to throw into  
11 the mix. In some cases, maybe not always a sign  
12 of increase abundance of certain species, but  
13 perhaps if their own prey, the French fries and  
14 Cheese Doodles that they normally are eating, is  
15 not as abundant, they might be looking for other  
16 sources and going in other places, you know, to  
17 get what they want. Which might be the tunas or  
18 the snappers or whatever. Thank you.

19 MR. BROOKS: Thanks. Greg.

20 MR. SKOMAL: Yeah, we've been working on  
21 a depredation issue with hammerheads and tarpon  
22 down in the Florida Keys, and we're certainly

1       aware of the issues that are developing with white  
2       sharks up in New England.

3                   And along these lines, my colleagues at  
4       U Mass Amherst have been distributing online  
5       survey to recreational anglers to try to get a  
6       sense of the geographic scope of species involved  
7       and such around the US. So I would encourage  
8       folks to participate. It's only been out about a  
9       month and we have about 600 participants already.  
10      It's just a start. How well it will quantify it I  
11      don't know, but it's to get a sense of angler  
12      attitudes and what they're seeing out there. So I  
13      just want to put it out to the group for those who  
14      might be interested to, I'll let you know where to  
15      go on line.

16                   MR. BROOKS: Dewey.

17                   MR. HEMILRIGHT: My memory might be off  
18      a little bit, but I believe since about 1994,  
19      prior to 1994 you could go fishing 365 days a  
20      year, and you could catch all the sharks you want.  
21      After that period of time there was a management  
22      plan put into effect, trip limits, quotas cut in

1 half. It's kind of funny sitting here at the  
2 table listening to everybody's comments. Could it  
3 be a possibility that there's just more sharks?

4           You know what brings back my memory also  
5 is that the spiny dogfish that was going to take  
6 100 years to rebuild happened in about 18 years.  
7 I used to travel shark fishing probably from  
8 Jacksonville, Florida to Montauk, New York, and in  
9 about 2006 or '07 had stopped when the trip limit  
10 level got so low I couldn't, you know, it wasn't  
11 profitable to go up and down the coast.

12           But our fisheries that would interact  
13 with sharks commercially that I'm familiar with,  
14 you know, there's a heck of a lot less fisherman  
15 out there on the water. Pelagic longline, we're  
16 using 300 pound mono and a circle hook where  
17 there's bite offs. Usually in my experience it  
18 takes HMS five to seven years to catch up with  
19 reality. And that's just based on my experience  
20 of sitting around the table of the science.

21           So this is going to continue to happen,  
22 it's going to get worse. And people keep

1 hollering and, you know, is the answer to go kill  
2 all the sharks or whatever? No. But I mean you  
3 protected them, it's almost like a bank that you  
4 been taking out of the bank and all of a sudden  
5 you're putting your money back into an account and  
6 you look 20 years later, 25 years later, you're  
7 like dag gone, that account has grown some. Well  
8 it's the same way with these sharks. And it's  
9 going to get worse and, you know, there's more  
10 sharks out there.

11 So our research fisheries that we have,  
12 the observer shark program that we have, it's in  
13 little areas that probably don't go very far off  
14 shore. And different ones I know, particularly  
15 North Carolina, so there's none north of that.  
16 You look at the indices, I mean they're all going  
17 up. So it's kind of the NMFS, you know, your  
18 rebuilding plan and your management of sharks  
19 since 1994, whatever the year is, it's worked.

20 MR. BROOKS: Thank you. Let's go to  
21 Mike, Raimundo, and then I want to see if we've  
22 got folks on the Webinar.

1                   MR. PIERDINOCK: Thank you. Mike  
2                   Pierdinock. Two species in New England that  
3                   continue to plague us with this problem. One is  
4                   porbeagle sharks. If you're fishing up in  
5                   Stellwagen Bank or the Western Gulf of Maine and  
6                   you're groundfishing, you know, kind of catching  
7                   cod, pollock, and haddock. As you bring them up  
8                   we constantly have interactions with porbeagles.  
9                   And that's been going on for many years, and  
10                  continues to be a problem.

11                  Steve had mentioned great white sharks  
12                  is another issue that's all over the news daily up  
13                  in Massachusetts and Cape Cod, where I live within  
14                  minutes of Cape Cod, and it's either on the news  
15                  or the radio with great white shark interactions.  
16                  Karyl, I ask that you go on You Tube and you will  
17                  see plenty of photographs and video tapes of  
18                  interactions with great whites in 20, 30 feet of  
19                  water, eating our striped bass, cutting them in  
20                  half, whether it's striped bass or bluefish or  
21                  other species.

22                  I'd like to thank NOAA and National

1 Marine Fishery Service for their conservation  
2 measures for great whites and seals because it's a  
3 conservation success story. Great whites have  
4 come back, seals have gone from 1,500 to 50,000  
5 plus throughout Cape Cod, North Shore, South Shore  
6 and so on, but the seals are the dinner bell for  
7 the great whites. But now that's for the adult  
8 great whites.

9           Now what we've seen the past few years  
10 is now we see the juveniles, through the good  
11 conservation measures. And those juveniles are in  
12 shallow waters. And I know Greg can, you know,  
13 expand upon that more. But what's happened the  
14 past two years, unfortunately, there's been two  
15 deaths on Cape Cod beaches as a result of attacks,  
16 and we hope we don't have one, it typically  
17 happens around September.

18           So the dinner bell with the seals and  
19 the increased population not only is causing a  
20 problem from a fishery standpoint with bluefin and  
21 other species and so on, but it's also a safety  
22 issue. And as a result of those increased numbers

1 near shore, from what I understand the young ones  
2 aren't sure with a human in the water, where the  
3 old ones, the older adults, they're going after  
4 seals and whales and turtles, and they have more  
5 experience at that. But since there's more  
6 younger ones near shore that we're having a safety  
7 problem.

8           So that has had a detrimental impact on  
9 tourism. Tourism's down, people aren't coming,  
10 and we just hope that there's not another death  
11 because it could be even worse. So with that, you  
12 get the calls from everybody for a cull of the  
13 seals, we gotta have a jaws like landings of great  
14 whites. And I try to, you know, calm them down  
15 and say look, we have to have science support  
16 this.

17           So I don't know whether the time has  
18 come to have a great white shark stock assessment,  
19 which I believe Greg is doing that right now in  
20 our state waters, but to have that. That then  
21 could answer what we hear daily on the radio and  
22 TV with the sightings and interactions to show



1       whether you can open it up to fishing again or you  
2       can't. My sense is no, but I don't know. So I  
3       throw it out there and hopefully that could be a  
4       mechanism to address the concerns of the public  
5       and the safety issues that we have right now.  
6       Thanks.

7                   MR. BROOKS: Raimundo, and then to  
8       Webinar.

9                   MR. RAIMUNDO: Thank you. My college,  
10       Marcos Hanke, the South Atlantic Council, he asked  
11       me to mention this. That on the east coast of  
12       Puerto Rico for the recreational charter  
13       fishermen, about 50 percent of the hooked fish are  
14       taken by sharks. Specifically silkys and  
15       Caribbean reef sharks.

16                   And then they go very well from what you  
17       hear about one of those most profitable fisheries  
18       in Puerto Rico, which is deep watersnappers, queen  
19       and silk snappers. You see that they have a  
20       significant take as well from Caribbean reefs,  
21       some silkys when they're on the surface as well.  
22       But they are pulling up really large tigers from

1 about 1,000 feet deep.

2           So this is something, it is affecting a  
3 lot of the fisheries as well. We do also have  
4 another project that we do, try monitoring on dive  
5 fishermen, so each fisherman carries and they  
6 record they're diving, while they're fishing,  
7 where they're spearing. And we have seen in the  
8 past several months a lot more sharks have been  
9 circling divers. And, you know, something that  
10 this has not really been the norm in the US  
11 Caribbean, and it's not necessarily, we don't have  
12 a shark diving industry so that the learned  
13 behavior isn't necessarily something that's there  
14 because we just haven't had the time for the  
15 sharks to learn this.

16           So we are seeing interactions increase  
17 quite bit. We have been documenting it with  
18 video. And the species are, you know, quite  
19 diverse between sharks, like tiger sharks,  
20 Caribbean reefs, lemons. And so it's something  
21 that is very concerning from the fisheries point  
22 of view, but as well from the tourism aspect as

1 well, you know. Puerto Rico, we do have, our  
2 beaches, that's one of the main attraction for the  
3 island.

4 So this is something we are trying to  
5 manage to see how we work with it. But it is  
6 something that we do see, we do need more support  
7 on some of the research and the interactions with  
8 the different fisheries. Specifically because  
9 conch dive fishermen, conch is the second most  
10 important economic fishery on land, and the other  
11 one is conch lobster and deep water snapper. So  
12 these sharks are affecting all of our important  
13 fisheries as well as the rec site. Thank you.

14 MR. BROOKS: Thanks, Raimundo.  
15 Operator, if you can open up the phone lines again  
16 we can see if there are any folks on line who want  
17 to jump in on this. Thanks.

18 Webinar, AP members on the Webinar.  
19 Anyone want to jump in on this conversation? Go  
20 ahead, Rusty.

21 MR. HUDSON: Thank you. On reef status,  
22 you know, there is other stock that could have

1 included if we talked about the complexes that  
2 involve things like bull shark and lemon and such.  
3 But we got to do individual species specific stock  
4 assessments now. And so somehow it goes back to  
5 what John Carmichael said in 2006 as the head of  
6 SEDAR, that handles coastal sharks. We need to do  
7 a couple of sharks per year. One way or another,  
8 these species that have never been assessed  
9 individually.

10 And also where the blacknose was up  
11 there, our Atlantic blacknose, where we're allowed  
12 to catch them, they're as big as they grow now.  
13 And they're very, very thick. And yet our  
14 blacktips are so thick but we haven't been to fish  
15 in the same waters since 1992. And our first full  
16 year of management was '94, we started in '93.  
17 But all of that, and then we went to limited  
18 access in '99.

19 You just look at all these changes and  
20 reductions, like they said, 50 percent cut, there  
21 95 and on and on. It has now got to where we have  
22 a perfect storm of predator rich environment, and

1       it is affecting a lot of our other stocks we're  
2       trying to rebuild on Council and HMS levels, and  
3       that needs to be relative.

4                   And as long as science has us so that we  
5       have to have numbers. I mean the great  
6       hammerheads come out and they start eating, you  
7       know, our sandbars, eating our amberjacks and then  
8       start doing a sandbar get hooked up and then a  
9       great hammerhead will eat it. I mean it's just  
10      amazing what they're seeing in the last several  
11      years.

12                   So you all need to find a way to get  
13      better science that reflects reality inside the  
14      boat going yesterday and not two to six years and  
15      10 years from now. Thank you.

16                   MR. BROOKS: Thanks, Rusty. Anyone else  
17      on line want to jump in? AP Members, anyone else?  
18      Okay.

19                   MR. HUDSON: Another thing I forgot.  
20      This is Rusty again. The four main shark stock  
21      assessment, when it came out out of Canada in  
22      2009, from Anna Atoll, it had not known where the

1 pupping grounds were. And so they learned that  
2 through sack tags on the females, and it turns out  
3 to be down below the slope seas, Sargasso, Sandy,  
4 all down there. And they have multiple returns  
5 from there across several years.

6 So that stock assessment needs to be  
7 updated with that actual critical information.  
8 Thank you.

9 MR. BROOKS: Thanks, Rusty.

10 MR. CORTES: If I may.

11 MR. BROOKS: Go ahead, Enric.

12 MR. CORTES: This is Enric. Yeah, we  
13 are planning hopefully on conducting another stock  
14 assessment for porbeagle, even though the results  
15 of the assessments we did for the whole North  
16 Atlantic has sort of coincided with the results  
17 from Compana at the time. But, yeah, that's  
18 another species that's overdue.

19 I just wanted to make a comment or a few  
20 comments on previous interventions. I thought the  
21 issue of the learning behavior that somebody  
22 commented on the South Atlantic Council is a good

1 one as well.

2 And I mean if you think of it, shark  
3 diving feeding industry is based on that learning  
4 behavior, right, of attracting sharks and getting  
5 habituated.

6 Also the comments by Marcus Drymon on  
7 characterization and mitigation. I think they are  
8 good because there's a lot of variability, and  
9 there are probably techniques that can be used and  
10 need to be investigated to mitigate shark  
11 depredation.

12 In that sense too I just got some  
13 information from Alaska, for example. There seems  
14 to be several studies that have looked at the  
15 issue of depredation and also effects on the place  
16 assessment by marine mammals, by sperm whales and  
17 other marine mammals. So there's some literature  
18 that can be looked at as well to get some  
19 potential ideas on these issues, of mitigation and  
20 effects on assessments.

21 MR. BROOKS: Thanks, Enric. Bob.

22 MR. HUETER: All right. Thank you. Bob

1 Hueter, Mote Marine Lab. I just want to remind  
2 everyone how complicated this issue is. It's not  
3 a matter of just a group of predators getting more  
4 abundant.

5 First I would want to rule out that this  
6 isn't a shifting baseline problem. Forget about  
7 going back 25 years, let's go back 60 years and  
8 ask the fishermen then did they have these kinds  
9 of problems. And I haven't heard anything about  
10 that.

11 But let's assume that they didn't. Yes,  
12 we have more sharks now than we had 25 years ago.  
13 And we don't have more sharks than we had 60 years  
14 ago. And that's clear from the data that Enric  
15 presented. So what is it that is causing the  
16 imbalance?

17 And that's what we've got here, we've  
18 got an ecosystem that's out of whack, it's out of  
19 balance. It could be, and I'm going to ditto what  
20 Mark said, what Mark Sampson said. It could be  
21 the prey population being less than being in  
22 proportion with the number of predators that are



1 coming back.

2           If we were managing wildlife on land,  
3 for example, and we were protecting all the wolves  
4 and the coyotes, but we were allowing hunters to  
5 shoot every deer that's out there, so that the  
6 deer population became sparse, then what would  
7 that lead to? It would lead to conflicts between  
8 deer hunters and wolves and coyotes. And that's  
9 kind of what we have probably going on here.

10           So let's not just leap to the conclusion  
11 that it's too many sharks or we have enough sharks  
12 or the sharks are back. We have to look over  
13 history back to the way things used to be and see  
14 if there's a way to put the ecosystem back in  
15 balance. And if there isn't, then look at these  
16 things proportionately, not just in terms of  
17 absolute numbers.

18           MR. BROOKS: You want to jump in, Pat?

19           MR. AUGUSTINE: Yeah, just a quick one.  
20 Very responsive, Bob, comments.

21           I don't know what the linkage is between  
22 shark population and the United States Marine

1 Fisheries Commission and the 23 species of fish  
2 that they are managing on their shore. They're  
3 managing very tight. The Mid Atlantic, South  
4 Atlantic, New England Council, are all managing  
5 tight their species of fish. So if you look at  
6 all that, and look at the uncontrol of sharks, I  
7 think it's simple to look at that overall picture  
8 and say it's prey versus predator. And the  
9 predators are not being managed very well. Well,  
10 they are, they're being managed because we're not  
11 allowed to fish on them, so I'm not sure that we  
12 have to look back at 60 years to try to bring back  
13 the population to what it was 60 years for sharks.

14 I think we have to look at the whole  
15 picture and ask what are we allowing the shoreline  
16 fish, shoreline out to the let's say out to the EZ  
17 area or out 200 miles, the prey that are available  
18 to those sharks are in basically total control.

19 So I think the answer is a hell of a lot  
20 simpler than saying we protect this species, that  
21 species, this species, for 25 or 30, 40, 50, 60  
22 years. We now have along New York South Shore,

1 and our friend over there can tell you about where  
2 he's finding the great whites along the South  
3 Shore of Long Island. We've got more pupping area  
4 along Long Island than we know what the hell to do  
5 with in sharks. You don't have to go 25 miles off  
6 shore anymore, you go toward Lock Island, five,  
7 six miles out. You'll catch all the threshers you  
8 want and all the duskys you want. You name it and  
9 you're there.

10           Yet, we find our populations of inshore  
11 fish are down. And I think the picture is so much  
12 more simple than looking out as to how we balance  
13 this and balance that. I think we have to have  
14 maybe a group get together to look, with ASMSC,  
15 all the councils, and sit around and look at those  
16 species of fish and see how we've allowed those  
17 populations of inshore fish to either grow in  
18 terms of numbers versus what the population is off  
19 shore. And I think very quickly you're going to  
20 find, I'm watch Greg's program all the time, the  
21 number of sharks those guys have encountered in  
22 your videos and what Mike talks about his areas up

1       there, it's astronomical. Not only in size, but  
2       numbers and variety. So why are we looking out  
3       20, 40, 50, 60 years? So if there was a  
4       suggestion to be made based on all the questions  
5       we discussed, I think that's one that we need to  
6       take some time at.

7                   And we've all got suggestions as to how  
8       to go ahead and protect the shark population,  
9       protecting seals, protecting whales. But I think  
10      we've got to get back to ground zero. What is the  
11      prey relationship to what the predators are doing  
12      out there? Not rocket science. So that would be  
13      my suggestion, at least to take a look at it.

14                   MR. BROOKS: Thanks, Pat. I want to get  
15      Kirby and then back to Bob, and then we should be  
16      closing up here.

17                   MR. ROOTES-MURDY: Thank you. Just in  
18      follow up to our former Commissioner, Pat  
19      Augustine, the Commission will be holding an  
20      Advisory Panel Meeting on October 1st. So if  
21      there is interest by NOAA/HMS to ask RAP Members  
22      on this predation issue and get additional

1 feedback on what's going on in state waters, I'm  
2 happy to do that, just let me know. Thank you.

3 MR. BROOKS: Thanks, Kirby. Bob.

4 MR. HUETER: I just wanted to -- I know  
5 we can't respond to, but follow up to what Pat  
6 said. I think we actually are saying the same  
7 thing, Pat. I'm not suggesting that we take  
8 targets back to 60 years ago, I'm saying we look  
9 at the situation 60 years ago and learn from that.

10 But I think what we're faced with here  
11 is this is where a single species management  
12 breaks down. That's the problem we have. It's  
13 worked very well in terms of optimizing yield or  
14 bringing back yield for individual fisheries. But  
15 this is an ecosystem problem that we've got now  
16 and it's just, I mean say what you will about  
17 ecosystem-based management, this is where we have  
18 to solve it with that kind of an approach instead  
19 of just managing one stock at a time. It doesn't  
20 work, it's too slow, and you can't get all the  
21 pieces to line up together with each other.

22 So this is a complicated problem, and

1 I'm sorry to say that we're not going to fix this  
2 easily. With the shark and seal problem it's  
3 another example. It's, you know, we started with  
4 seals as marine mammals, gave them a 20 year head  
5 start, they came back, roaring back, and the  
6 sharks are still trying to recover, you know, from  
7 their declines.

8                   And Tobey Curtis, I'm looking at Tobey  
9 over there. Tobey's written the best paper about  
10 this to show where the white sharks are now. Yes,  
11 they're coming back, but they're not anywhere  
12 close to where they were 50, 60 years ago. If you  
13 had more white sharks they would keep the seals on  
14 the beaches more, they would eat seals, but they'd  
15 also keep the other ones on the beaches and the  
16 seals would eat less stripers and cod and menhaden  
17 and that sort of thing. So this is an ecosystem  
18 challenge, not just a single species fix.

19                   MR. BROOKS: Thanks, Bob. Alan, you get  
20 the last word and then we'll break.

21                   MR. WEISS: Thanks. Yes, echoing what  
22 Bob just said, it is an ecosystem management

1 problem. It's I guess a question how you can get  
2 to where we may need to go because we can't manage  
3 species by species and maximize everything  
4 simultaneously. That's not the way ecosystems  
5 work.

6 So we have to find a way to be able to  
7 do that both in practical terms and also in the  
8 context of the law, which would be another  
9 impediment.

10 MR. BROOKS: Thanks. You got 30  
11 seconds, Pat.

12 MR. AUGUSTINE: I can do it in 30  
13 seconds. Okay, so the issue is if we can solve  
14 the shark problem because we have 17 or so species  
15 that you can't fish on, we've got protected, we  
16 are not going to change the Magnuson-Stevens law,  
17 we're not going to do it.

18 The councils are all sworn to if you  
19 have overfishing occurring in any fishery, you  
20 have one year to take action, to put together a  
21 corrective action plan. And we are single  
22 species, so there's no way in hell single species

1 is going to change overnight. Even though there  
2 was an experiment conducted in the Chesapeake on  
3 striped bass for ecosystem management to determine  
4 what they ate. Well that's been going on for six  
5 or eight years now at least, hasn't it, Kirby, the  
6 striped -- maybe it's over now, I don't know. But  
7 the fact is they found out that striped bass are  
8 just like sharks. They'll take anything that's in  
9 their way. They're hungry, they eat. If there's  
10 blue crab they eat blue crab, if it's weakfish,  
11 it'll eat them.

12 So we can solve this problem, from our  
13 point of view of looking as an advisory panel,  
14 look at what we can do with what sharks there are  
15 an abundance of. And at least open up some of  
16 those fisheries again. And maybe there'll be a  
17 little more of a balance. But to think that we  
18 are going to sit here, in my lifetime, and I've  
19 only got about 15 more years, I figure I'll make  
20 it to 100. And it's not going to happen. Single  
21 species management is not going to go away, try to  
22 go ecosystem. I did 37 seconds. Thank you.



1                   MR. BROOKS: Thank you. I want your  
2 watch. Just before we go, so Karyl, I know you  
3 didn't expect to come away from this conversation  
4 with the answer, and good news, you didn't. But I  
5 do think you certainly heard what you've already  
6 been hearing, you know, anecdotally, that there's  
7 a lot of broad impacts, right, you're seeing this  
8 all over, impacts on commercial value. Maybe not  
9 so much on people not taking charters, but the  
10 satisfaction may be going down. One can imagine  
11 that could have ramification issues around  
12 tourism, safety.

13                   I think in terms of where might the  
14 agency go, what could it do. A couple of things  
15 that I heard are, one, around piloting or funding  
16 mitigation efforts like Marcus is talking about.  
17 Obviously a step back is just characterizing the  
18 nature of the problem, that it's not the same  
19 everywhere, and really getting a deeper  
20 understanding of what that is and what that looks  
21 like is important.

22                   And then a number of comments circling

1 around assessments, whether that's, you know, HMS  
2 trying to stay as current as it can with the  
3 trends. Obviously that's a resource issue.  
4 Interest in the great white shark assessment, and  
5 just increasing the rates of assessment, that came  
6 through loud and clear.

7           And then I think this last conversation  
8 around it's a complex system out there, the need  
9 to look at it from an ecosystem base perspective,  
10 but at the same time we're living in a single  
11 species world. And so managing those.

12           I don't know if there are any final  
13 thoughts from you, Karyl, or where you think you  
14 might head with this next.

15           MS. BREWSTER-GEISZ: So I do want to  
16 thank everybody for your comments, and that you  
17 were correct, I don't think we're walking away  
18 with a silver bullet and the answer. I think  
19 Dewey is also correct that it will take us a  
20 number of years to figure out a solution and where  
21 we actually are. I am confident we can come up  
22 with some way of balancing our legal obligations

1 to continue to rebuild sharks along with balancing  
2 the need for the fishermen to be able to catch  
3 them. It's just finding that balance, which is  
4 going to be difficult.

5           And as Bob Hueter said, it is a  
6 complicated problem. And we're just talking about  
7 one aspect right now of the depredation. We're  
8 not talking about the fact that the commercial  
9 quota has not been caught in a number of years.  
10 For a number of species it's never been caught.  
11 For some of the species, like Enric mentioned, the  
12 tack for Gulf of Mexico blacktip can be increased.  
13 It can be increased dramatically, but we're not  
14 catching that quota now. So I think it's not just  
15 the depredation, I think it's also how do we --  
16 we've talked about all the shore fish, I'm going  
17 to say it now -- how do we revitalize the shark  
18 fishery? How do we bring it back?

19           And I knew Dewey wants to talk, but I'm  
20 sorry, you are not allowed to talk off line.

21           But those are all things that we are  
22 looking at and trying to get at. And you'll see

1 specific questions to all of you on how we're  
2 going to do that in our next shark specs. And  
3 we've had the shark fishery open year round for a  
4 number of years now and we're still not catching  
5 the quotas. And, yes, we're changing retention  
6 limit up and down. They're pretty high now, we  
7 can go up a little bit higher in the Atlantic, but  
8 it's as high as it can go in the Gulf, and we're  
9 nowhere near the quota. So that's commercially,  
10 recreationally. I don't know what to say about  
11 that one. So I'm just going to stop here. And,  
12 Bennett, I do want to thank everybody for your  
13 comments, I want to thank Enric, Craig, and Lisa  
14 for your time.

15 MR. BROOKS: Yes, ditto from here.  
16 Let's get you to lunch. We're a few minutes after  
17 12:00 but you'll still have about an hour and 20.  
18 We will reconvene at 1:30 sharp, where we'll have  
19 feedback on a number of the different scope and  
20 conversations HMS have been having on tuna,  
21 sharks, and special management.

22 Thanks everybody.

1 (Recess)

2 MR. BROOKS: All right. Again, if I can  
3 get the AP members who are standing up to find  
4 their seats or in the hallway or in the breakroom,  
5 please come to your seats as well.

6 All right. It looks like a couple  
7 people maybe are late from lunch, but we still  
8 have a full agenda so I think we need to jump in.  
9 So, most importantly, Pat has mentioned that his  
10 cookies are in the back so please go help yourself  
11 and once again, thank you, Pat, for doing that.  
12 It's really appreciated. We starved at the last  
13 meeting when you weren't here so if you can't make  
14 a meeting, you still have to send your cookies in  
15 the future. Just so you know.

16 So, we're going to spend the next hour  
17 hearing from agency staff who will be summarizing  
18 comments from a number of different scoping  
19 sessions that they've been holding over the last  
20 couple of weeks and months. We are going to take  
21 it actually in reverse order from what you see in  
22 the agenda so we will first cover Spacial

1 Management of HMS Fisheries and we'll spend about  
2 15 minutes on that total. We will then move to  
3 sharks and spend about 15 minutes on that total  
4 and then we will end up talking about bluefin tuna  
5 Amendment 13 and we expect to spend about 30  
6 minutes on that. So, that's the game plan. After  
7 that, we will then again talk about the General  
8 category Cost Earning Survey Summary, but we will  
9 hold that to about 30 or 45 minutes so we have  
10 time for Fish and Wildlife service folks come in  
11 and talk about the CITES listing of shortfin Mako.  
12 So, with that, I think Tobey your up on Special  
13 Management.

14 MR. CURTIS: All right. Thank you.  
15 Tobey Curtis. Also, here representing Steve  
16 Durkee who has been -- we've been working together  
17 on this project addressing research and data  
18 collection to support Spatial HMS Fisheries  
19 Management. So, I'm going to go over sort of the  
20 current status and what we heard during scoping on  
21 this issue.

22 Okay. So, the basic premise of this is

1 just ways to improve how we can data from areas  
2 that have been closed to fishing for various  
3 reasons. Areas that restrict fishing can be an  
4 effective management tool, however, closed areas  
5 can also proportionately reduce fishery dependent  
6 data collection and research in those areas.  
7 Fisher dependent data collection, you know,  
8 logbooks and observer data, for example, are often  
9 the most cost effective method and most applicable  
10 to normal fishing activities and Fisheries  
11 Management needs scientifically regressed and  
12 up-to-date research from all areas including  
13 closed areas. We want to ensure that the original  
14 goals of these closures are still being met.  
15 Closures affecting HMS are geographically  
16 stationary and of course, we are dealing with the  
17 changing ocean and highly migratory species.

18           So, regular monitoring of closed areas  
19 can help ensure that the intended species are  
20 being protected in the appropriate areas and times  
21 while also maximizing U.S. fishery access to  
22 targeted resources.

1           Okay. So, as far as scoping, we went  
2 out this summer. We had several options here.  
3 Briefly, option one was no action so we would  
4 continue to authorize any proposed closed area  
5 research through the current EFP program.

6           Option two would authorize would  
7 authorize closed area research through a  
8 streamlined EFP process where HMS would sort of  
9 front load some analyses and hopefully, streamline  
10 the permitting process for closed area type  
11 research. We collect data on closed area catch  
12 through an observed access program.

13           Option four was institute a closed area  
14 research program from similar to the current shark  
15 research fishery so it would be 100 percent  
16 observer coverage and there would be some control  
17 over the trips that occur.

18           Option five would be to conduct closed  
19 area research through public and private  
20 partnerships partially funded by NOAA fisheries  
21 similar to the 2003 NED Research Program, which is  
22 just one example sort of a public private closed



1 area research project.

2 Option six would be to conduct closed  
3 area research through research program led by NOAA  
4 fisheries using NOAA or contract vessels more of a  
5 typical fishery independent survey design.

6 Option seven would be performance based  
7 closed area access where we would set some  
8 performance standards for certain fishing vessels  
9 to sort of provide potential access based on their  
10 fishery performance by catch reduction things like  
11 that.

12 So, this hits on the major points that  
13 we heard during the scoping. Here we go.  
14 Hopefully, I'm not fighting this the whole time.  
15 There is wide agreement that quality research and  
16 data collection is important for management.  
17 Okay. I'll just keep bouncing back and forth  
18 here. Especially, hopefully everyone to some  
19 Dramamine before the presentation here. Let me  
20 see if we can -- I don't know if we can turn that  
21 off. Oh, there it is. Thank you. We'll go back  
22 to full presentation view. We'll give this a try.

1                   So, anyway, there's an agreement that we  
2                   need to collect data from closed areas period.  
3                   That's good especially given changing ocean  
4                   conditions and shifting HMS distributions. Many  
5                   commenters said that research should be agency led  
6                   and 100 percent transparent so there's going to  
7                   have to be heavy agency buy in in any type of  
8                   closed area research.

9                   Funding was an important consideration  
10                  when choosing amongst those options. Some require  
11                  more funding than others. Multiple comments  
12                  oppose pelagic longline fishing particularly in  
13                  the Florida East Coast closed area. It was a very  
14                  specific issue, but this project is meant to be  
15                  much broader in scope addressing all species in  
16                  all closed areas. And they made specific  
17                  suggestions for research activities including  
18                  (inaudible) conduct research since they know how  
19                  to target the fish, science centers should lead  
20                  study design, there should be 100 percent human  
21                  observer coverage, research should be funded by  
22                  the commercial sale of target catch on research

1 trips, and we should implement by catch  
2 interaction limits that once hit would stop  
3 further research so those are some of the specific  
4 comments that we received.

5           Next steps are to review all the  
6 comments we received on the issues and options  
7 paper during scoping and we'll publish a proposed  
8 rule sometime next year I believe. There's a link  
9 to the issues and options paper there and you can  
10 contact Steve or myself if you have further  
11 questions on this issue, but it's going to be  
12 ongoing and at some point, there will be a  
13 proposed rule and I'm sure it will be a lot more  
14 lively discussion at that stage. So, that's it  
15 for the presentation. We have a few minutes for  
16 questions.

17           MR. BROOKS: Great. And just for this  
18 presentation and for all of them, obviously, we  
19 had fairly in depth conversations on all three of  
20 these topics at the last meeting and I don't think  
21 we're looking to have a do over of that and we  
22 don't have the time for that, but it really is a

1 chance for you all to hear what was said at the  
2 scoping session and if there are questions about  
3 what the agency heard or pieces that need a little  
4 more amplification, that's what we'd like to do in  
5 this time. David.

6 MR. SCHALIT: Would it be possible for  
7 the agency to explore the funding alternatives  
8 that might be available for this kind of work and  
9 sometime let us know at the next AP meeting, for  
10 example? Thanks.

11 MR. BROOKS: Any other comments are  
12 questions from AP members either in the room or on  
13 the phone? Was there an answer or reaction to  
14 that up front here? Thumbs up was the answer.

15 MR. SCHALIT: Okay.

16 MR. BROOKS: Marty.

17 MR. SCANLON: Well, it says here  
18 research should be funded by commercial sale of  
19 targeted catch, which is, you know,  
20 counterproductive to the fisherman. I mean, the  
21 fisherman are already basically giving their time  
22 and effort in the research then to make them pay

1 for it on top of that is counterproductive to what  
2 you're trying to accomplish I think here. I think  
3 that's definitely a no go there as far as making,  
4 you know, the catch, you know, is offset part of  
5 the research, but it's, you know, you can't expect  
6 the commercial portion of it to be 100 percent  
7 responsible in paying for the project.

8 MS. BREWSTER-GEISZ: So, I think that  
9 was just one of the options where the catch could  
10 be sold commercially. Other options could be  
11 through our CRP program, Cooperative Research  
12 Program with the fisherman. It could be the  
13 Saltonstall-Kennedy, SK program. There are a lot  
14 of different options to fund this.

15 MR. SCANLON: Right.

16 MS. BREWSTER-GEISZ: And sale of  
17 commercial catch would just be one of them.

18 MR. SCANLON: Right. And the other  
19 thing I want to take note here is multiple  
20 comments opposing pelagic fishing in the Florida  
21 East Coast area. We are getting back to the not  
22 my back yard mentality of marine, you know,

1 regulatory process here when you exclude any  
2 particular area from the research.

3 MR. BROOKS: Any AP on the phone want to  
4 weigh in on this, questions or comments? Okay.  
5 Tobey, I think you're good. Thanks. So, next up  
6 I think we'll hear from Ian Miller who will catch  
7 us up on the A14 scoping sessions on Shark Quota  
8 Management.

9 MR. MILLER: Good afternoon. I am Ian  
10 Miller. I think this is the first time I've been  
11 able to sit up here in front of all you and talk  
12 so I'm excited to do that. I think in the Spring  
13 you heard from Guy on this topic and previously  
14 you heard from Karyl, but I'll be chatting with  
15 you all about Amendment 14 scoping Shark Quota  
16 Management amendment. So, I'll go over our  
17 summary of needs and objectives. Our goal is to  
18 be consistent with the revised 2016 national  
19 standard one and we aim to explore options for  
20 modifying or establishing our reference points  
21 such as ACL, Annual Catch limits, Acceptable  
22 Biological Catch, Overfishing Limits, things of

1 that nature and we want to increase management  
2 flexibility for Atlantic Shark Fisheries as we've  
3 heard comments from the AP previously and other  
4 meetings that there is a desire from the AP to  
5 increase some of the management flexibility so  
6 we're going to explore that through Amendment 14.

7 The scoping document presented the  
8 following objectives. The first was to consider  
9 revising the acceptable biological catch control  
10 rule to ensure harvest does not exceed the  
11 overfishing limit. We want to evaluate the  
12 process of establishing the annual catch limit for  
13 non-prohibited shark species, evaluate the process  
14 for determining what are the acceptable levels of  
15 rebuilding success so our risk policy, consider  
16 our process for managing under or over harvest of  
17 sharks in HMS Management Unit, and consider  
18 increasing flexibility to adapt to changes in  
19 harvest of sharks by sector over time or spatially  
20 or however (inaudible). And then the scoping  
21 document also presented 18 options for five  
22 issues.

1           So, the comments that we received  
2           through the scoping process, we're going to break  
3           it down by those five issues and we'll start with  
4           the Acceptable Biological Catch Control rule. We  
5           got support for creating a tiered ABC control such  
6           as via vulnerability or some measure of creating a  
7           tiered process whether it's prohibited or  
8           non-prohibited, various options there. And then  
9           we received support for establishing some sort of  
10          peer review process that will account for  
11          uncertainty and we're looking at different options  
12          for what that peer review process would look like.

13                 The comments we received for the  
14          Acceptable Biological Catch phase improvisation  
15          was support and opposition to a three year phase  
16          in Acceptable Biological Control Rule approach.  
17          So, some people thought that it was a good idea to  
18          phase in any changes to our ABC over time while  
19          others thought it would be best to just make  
20          that whenever those changes need to occur. Make  
21          it happen right away and various reasons for why  
22          that would be. And there was concern about



1 slowing the response to negative stock information  
2 if we were to use phase in Acceptable Biological  
3 Catch Control rule process.

4           Moving on to our Annual Catch Limit  
5 Development. We had support for establishing  
6 specie specific annual catch limits with no  
7 linkages. Grouping species into new management  
8 units and we continue to get comments up about  
9 that. Establishing an annual catch limit  
10 framework that accounts for management uncertainty  
11 and actively manages annual catch limits while  
12 limiting directed fishing and by catch of shark  
13 species. So, when we talk about the actively  
14 managed catch limits, we are talking by sector  
15 recreational discard and commercial sectors. And  
16 then, finally, strengthening reporting and data  
17 collecting mechanisms in all the sectors.

18           For carryover provisions, we have  
19 support for implementing carryover and allowing  
20 carryover from one year to another in some  
21 fashion. However, there was support for limiting  
22 the amount of carryover because some instances the

1 reason there would be fish available is conditions  
2 outside of the sectors, which is weather and  
3 market. We received comments establishing  
4 accountability measures that will reduce the  
5 annual catch limit if the Acceptable Biological  
6 Catch is exceeded and the make sure we consider  
7 all sources of mortality when we look at  
8 potentially carrying over any underages.

9           And then, finally, for our multi-year  
10 overfishing provisions, we had opposition to using  
11 a multi-year overfishing approach as it made mass  
12 changes in stock status without an assessment so  
13 we may have that outlier year that may hide some  
14 change in the stock status that we weren't  
15 thinking was there. Support for using a  
16 multi-year overfishing approach because it may be  
17 more reflective of stock life history due to the  
18 long life cycle of shark species. And then  
19 support for multi-year overfishing approach to  
20 evaluate the overfishing limit and the acceptable  
21 biological catch and landings particularly for the  
22 recreational sector.

1                   And then, for our general comments, we  
2                   had support for greater transparency in the  
3                   assessment and management process. Use additional  
4                   data, conduct more frequent assessments, and using  
5                   more life history data in the process, which we  
6                   heard earlier today and we heard it throughout the  
7                   scoping process. Reevaluate the allocation  
8                   process and analysis concerning those management  
9                   groups in geographical area. Again, we heard that  
10                  earlier today and all throughout the scoping  
11                  process. And then create some sort of SSC or  
12                  similar review process.

13                  We had opposition to any changes in  
14                  management that would affect rebuilding plans or  
15                  timelines, affect in the negative sense of  
16                  increasing the rebuilding timeframe, and then we  
17                  had general concern with the number of entities  
18                  that were involved in shark management and who is  
19                  the primary lead for the shark management, such as  
20                  whether it's NOAA Fisheries or ICCAT or CITES or  
21                  whatever that is.

22                  So, for our next steps, tentatively, we

1 are looking at a proposed rule in the Spring and  
2 then looking to go final with Amendment 14 either  
3 in Winter of 2020 or sometime in 2021 and, again,  
4 if you want to see the comments, they are at  
5 Regulations.Gov and if you have any other  
6 questions or comments, you can contact myself,  
7 Guy, or Karyl.

8 MR. BROOKS: Thanks, Ian. I should have  
9 asked this before the previous one, but did you a  
10 lot of comments? We're the scoping sessions  
11 well-attended?

12 MR. MILLER: No. We got a decent number  
13 of comments, but not as many as we thought we were  
14 going to get.

15 MR. BROOKS: Let's open up to the AP on  
16 the phone or in the room for questions or comments  
17 on this. Anything. Dave, apparently you have  
18 been chosen to talk.

19 MR. SHALIT: I am suffering from  
20 customer confusion a little bit. You know, when I  
21 think about sharks and I'm sitting at this AP  
22 meeting, I'm thinking about ICCAT managed the

1 sharks. Okay. But I'm certain that there are  
2 sharks in this presentation that you've given that  
3 are not managed by ICCAT. That is in fact the  
4 case. Are there any ICCAT managed sharks within  
5 this presentation?

6 MS. BREWSTER-GEISZ: So, right now ICCAT  
7 does not technically manage sharks. Sharks are  
8 not part of the convention of ICCAT. Sharks are  
9 assessed and in more recent years, there have been  
10 recommendations that we follow because we are a  
11 member of ICCAT. So, all of our sharks, including  
12 the ones that you would consider ICCAT like Mako  
13 and Blue, are still managed under Magnuson and are  
14 still required to have ACLs and all the Magnuson  
15 requirements that some of our traditionally ICCAT  
16 managed species, like bluefin, are not required to  
17 have. So, in this case, this is all of the sharks  
18 not just ICCAT ones.

19 MR. SCHALIT: And that bases the  
20 question. So, we're going to assume just across  
21 the board that there are no constraints from ICCAT  
22 on any law that we want to create or regulation we

1 want to create for these species that are being  
2 discussed. Correct? Like, for example, there is  
3 no rollover provision in ICCAT.

4 MS. BREWSTER-GEISZ: So, ICCAT does not  
5 yet have any quotas on sharks. What ICCAT has are  
6 no landings of certain species of sharks or  
7 prohibitions on certain species of sharks. What  
8 we're looking that in this rule is once we have a  
9 stock assessment, how do we determine the ABC as  
10 opposed to the TAC and one we have the ABC, how do  
11 we split that so we have annual catch limits for  
12 each of the different sectors, recreational,  
13 commercial, how much of the dead discards are  
14 going to be from everybody, all of that. So,  
15 that's what this rule is about and I would say  
16 ICCAT (inaudible) manage sharks. It is part of  
17 the convention talks, which I think is up for more  
18 discussion in November so there is a strong  
19 possibility that ICCAT will manage sharks in the  
20 near future and at that point, those species it  
21 manages probably this wouldn't apply to them, but  
22 at the moment it does.

1                   MR. AUGUSTINE: Just a quick one. In  
2 this one we talked about the support for greater  
3 transparency using initial data, conducting more  
4 frequent assessments, and so on. Will there be  
5 funding available to conduct those things assuming  
6 that this goes out and is approved. Again, it's a  
7 wish list and I'm wondering if you're going to  
8 have money for the wish list.

9                   MS. BREWSTER-GEISZ: So, for this one, I  
10 would just say this would include coming up with  
11 ways of setting the ABC when we do not have a  
12 stock assessment and how does that work because  
13 especially more towards all species specific  
14 management. Right now we have them in management  
15 groups, but if we split them all out and we  
16 suddenly manage bull sharks, how do we set up that  
17 quota. I don't see a bull shark assessment for a  
18 number of years so we're not going to be able to  
19 assess all the species we have in a short time  
20 period.

21                   MR. AUGUSTINE: So, in your lifetime,  
22 Karyl, how much of this will get done? I'm not

1 being facetious. I mean, this, again, is another  
2 wish list and we have 17 species of sharks that  
3 are kind of protected now and there's a bunch of  
4 them after we had this conversation earlier today  
5 that we have to take a look at what we're going to  
6 do. So, let's assume we scope it down to pick a  
7 number. Could you do three into here, could we do  
8 five in here and I'm just trying to get some side  
9 bars on it other than we walk away with a wish  
10 list again saying that maybe 12 years from now  
11 we'll have an assessment on some things. I'm just  
12 trying to get a point.

13 MS. BREWSTER-GEISZ: So, I know you gave  
14 yourself 15 years. I'm hoping I'll make it a  
15 little bit longer than 15. The way SEDAR is  
16 moving is to help improve that throughput where  
17 they're moving to research assessments and then  
18 updates of individual species so those research  
19 assessments could be groups of species like what  
20 we're doing with hammerheads. If that works and  
21 the throughput does increase, then, yes, I think  
22 definitely within my lifetime possibly within



1       yours but it might be a little bit of a stretch  
2       that could happen.

3                   MR. AUGUSTINE:  When are you going to  
4       retire?

5                   MR. BROOKS:  Okay.  I want to make a  
6       habit around here with not predicting of each  
7       other.  Because, yeah, we can effect that.  
8       Raimundo.

9                   MR. ESPINOZA:  No.  I'm not ready to  
10      deal with my mortality.  So, I think a lot of  
11      these things are very positive where these are  
12      going and so, I'm of course thinking it from my  
13      part of the U.S. Caribbean's point of view and  
14      specifically, for the Caribbean small boat permits  
15      that are down there.  So, for example, right now  
16      we don't have any of this information for the U.S.  
17      Caribbean for any of these management actions and  
18      so, you know, right now we're at zero bag limit  
19      for sharks, which has really caused an issue  
20      within the data that's being collected because, of  
21      course, we do know that there is a shark fishery  
22      in Puerto Rico, but nobody is reporting and if

1       they are reporting, it's because they are  
2       confident that local agencies, the Department of  
3       Natural Resources, either USVI or Puerto Rico, are  
4       not going to do anything about it just because of  
5       what local regulations actually state. So, I feel  
6       that for us in the U.S. Caribbean these things are  
7       really important just because it actually does  
8       affect what data is going to be collected or could  
9       be collected and actually just, you know, and I  
10      see the timeline. I see Spring 2020 and then, you  
11      know, or 2021 for the final amendment and so, that  
12      means, you know, effectively, two more years  
13      really of no data that's being reporting to HMS  
14      about sharks that are being caught in the U.S.  
15      Caribbean.

16                   And, of course, it worries me because  
17      this is something that, you know, that we -- it  
18      worries me just because of the actions that could  
19      be taken on either side. Either a full bands or  
20      setting quotas that match, you know, similar to  
21      the Gulf of Mexico, which we would never reach,  
22      you know, 30 sharks in a day per fisherman ever.

1       So, what that could promote in U.S. Caribbean  
2       waters either stateside vessels coming down to  
3       fish sharks locally just because we have them and  
4       you could actually get that. But it does worry me  
5       about what this means for shark management and the  
6       data that needs to be collected. So, anyway, just  
7       a concern and question and see how maybe we could  
8       some movement on the bag limit for Caribbean small  
9       boat. Thank you.

10               MS. BREWSTER-GEISZ: So, we are  
11       definitely aware of the issues of the Caribbean.  
12       With Marcos, we have been talking about it. I  
13       think you've seen some of the e-mails back and  
14       forth. Caribbean is definitely on our mind in how  
15       to address the issues not only with the small boat  
16       permit bag limit, but also some of the species  
17       that are currently on the permitted species list  
18       and how do we address those issues and how do we  
19       pull the Caribbean out so it's its own region and  
20       does not rely on the Gulf of Mexico quota, which  
21       is what it currently.

22               MR. ESPINOZA: So, yes, I'm sorry

1 interrupt, but and this is what I'm saying, even  
2 if we were to rely on the Gulf of Mexico quotas,  
3 are bag limits are zero so even if it wasn't zero,  
4 we still wouldn't make a dent in them just because  
5 the fishing industry isn't that big. We wouldn't  
6 make a dent in the quota set for them. But even  
7 if we would or could, we're at zero. So,  
8 effectively, we're managed under their quotas in  
9 the Gulf of Mexico, but not fisherman is going to  
10 submit the data just because, you know, we have it  
11 at zero and so, he would effectively be kind of,  
12 you know, ratting himself out. And right now, you  
13 know, there are issues with local regulations on  
14 who needs HMS in state waters or not. So, there's  
15 still a lot of, and I know Marcos has brought this  
16 up and now we're (inaudible) effectively working  
17 side-by-side. You know, this is really  
18 interesting because I think we have a really great  
19 opportunity because you've got to remember, I'm  
20 from the environmental side and so, the  
21 environmental side isn't the one that's asking me  
22 to actually have more movement on clearing up

1 shark regulations and to see which is actually  
2 banned or what our quotas could be. It's actually  
3 the shark fisherman that are coming to us saying  
4 like, "We want to know what's banned because we  
5 want to actually begin reporting. We was to do  
6 what's right." So, this is something that I feel  
7 that we're on the right side of things to really  
8 listen to fisherman when they're asking us to, you  
9 know, clear things up on actually supporting  
10 submitting data and actual management actions to  
11 be put in place.

12           So, I think it's a really good time and  
13 I really appreciate the work that you've done. I  
14 know that it's something that you keep on hearing  
15 about and, you know, so I'm glad to be on the  
16 panel to make sure you don't forget about us  
17 either.

18           MR. BROOKS: Thanks. Raimundo.

19           MS. BREWSTER-GEISZ: So, I was just  
20 going to say yes. It's a complicated issue, we  
21 are working on it, and I would be happy to talk  
22 with you more.

1                   MR. BROOKS: We should be pushing ahead.  
2                   I do want to see if -- are there any AP members on  
3                   the webinar who want to jump in on this and  
4                   operator if you could open the lines just in case  
5                   anyone wants to fold in.

6                   OPERATOR: All lines are open.

7                   MR. BROOKS: AP members, anybody want to  
8                   jump in on this with a quick question or comment?  
9                   Okay. Thanks, operator, you can close it back up.

10                  MR. AUGUSTINE: It's just a quick one.  
11                  In response to the last comment, there's no  
12                  question and maybe here's an opportunity. We  
13                  should create an experimental fishery and, Randy,  
14                  your in a new leadership position and Karyl will  
15                  follow-up this one I'm sure. But why don't we  
16                  create an experimental fishery for the Caribbean,  
17                  split it off from the Gulf, and assign them some  
18                  quotas and then give that assignment for two or  
19                  three years and see what the catch rate is and see  
20                  how they report. You've got to start somewhere.  
21                  I mean, right there's zero and they're going to  
22                  stay at zero forever until it's broken out from

1 the Gulf of Mexico. So, I mean, we're an advisory  
2 panel so that's an advice. Allen, are you  
3 agreeing on that? That's a good idea isn't it?  
4 It's a good idea. Nod your head. Good. It's a  
5 idea so I think we should consider it.

6 MR. BROOKS: Thanks Pat and Marty 30  
7 seconds.

8 MR. SCANLON: Yeah, well, we strongly  
9 suggest that you keep the ICCAT managed stocks out  
10 of this rulemaking here and just focus on the  
11 domestic issues here in this rulemaking.

12 MR. BROOKS: Okay. Thank you very much,  
13 Ian, and I think next up is going to be Tom Warren  
14 to share comments from the scoping session on the  
15 A13 Bluefin Tuna Management.

16 MR. WARREN: Good afternoon. Tom Warren  
17 here to talk about Amendment 13 scoping. We have  
18 a successful scoping period. Scoping for  
19 Amendment 13 and the regulatory process moving the  
20 ball forward for Amendment 13. The catalyst for  
21 this regulatory action is several fold principally  
22 new information and changing conditions prompting

1 various questions. The draft 3-year review of the  
2 individual Bluefin Quota Program poses the  
3 questions fundamentally was the program  
4 successful, should it be modified, and if so, how?

5 The Purse Seine Fishery, which has been  
6 relatively inactive for years, the underlying  
7 question is should this fishery be discontinued or  
8 phased out? And then there's other management  
9 options. Recent fisher trends have basically been  
10 the catalyst for okay, how can we make changes to  
11 optimize fishing opportunity keep this fishery  
12 going at its best under changing conditions? So,  
13 we published a Notice of Intent and made public  
14 and issues and options paper on May 21. We had 11  
15 total scoping meetings up and down the coast  
16 including the Gulf of Mexico as well as a  
17 presentation to the New England Fishery Management  
18 Council and the end of the scoping comment period  
19 was July 31.

20 So, here's just a nice photo. You've  
21 your fill of cookies for now, but here's some eye  
22 candy, some schooling bluefin tuna that helps



1 facilitate our harpoon fishery, which targets  
2 these surface schooling bluefin.

3 Briefly, the Amendment 13 objectives,  
4 which we've discussed in detail before, consider  
5 changes to the IBQ program regulations, optimize  
6 allocation of bluefin quota, facilitate harvest of  
7 full bluefin allocations by all the quota  
8 categories, enhance data quality in bluefin  
9 reporting, as well as, of course, maintain  
10 consistency with the relevant requirements. All  
11 these objectives are a little more nuanced, but,  
12 again, this is just a quick overview.

13 And so, both the topics involved in  
14 Amendment 13 and the scoping comments align pretty  
15 well with the topics. There are some outliers  
16 that I won't touch on and, again, I'll just be  
17 providing a brief overview of some of these  
18 comments.

19 The comment period was very successful  
20 in attracting all kinds of comments, some out of  
21 the blue, but basically does a good job in putting  
22 us HMS in a good mindset to consider A to Z and

1 make sure we consider A to Z, kick the tires of  
2 all the ideas, and so, we'll end up hopefully in a  
3 good place during the regulatory process.

4           So, these are the bins into which they  
5 fall. The Purse Seine Fishery future, considering  
6 the future of the fishery and relevant management  
7 questions that are associated because, as you are  
8 aware, the Purse Seine Fisher is an (inaudible)  
9 link to the other fisheries because they are all  
10 quota managed fisheries and if you pull one string  
11 someplace, you feel a tug somewhere else.

12           The IBQ Program, there's the quota  
13 allocation aspects, but then the other aspects of  
14 the program and then the General category subquota  
15 periods and percentages, the Harpoon fishery,  
16 charter/headboat fishery, and the recreational  
17 trophy fishery.

18           So, the principle themes to come out of  
19 scoping for the purse seine fishery -- discontinue  
20 immediately. The time is up on this fishery.  
21 It's been inactive. Let's use the quota more  
22 optimally for the other active portions of the

1 bluefin fishery.

2 Other aspects, other comments weren't so  
3 much directed to the fishery per se, but the  
4 relative interaction between this fishery and the  
5 longline fishery such as we don't really care what  
6 the Purse Seine Fishery does, but don't allow them  
7 to lease because it's providing too much longline  
8 quota. We should phase out the fishery rather  
9 than discontinue immediately or no action. We  
10 don't see a problem here. Do not discontinued.  
11 These folks had a historic piece of the fishery,  
12 which should be allowed to continue.

13 And then, various suggestions on how to  
14 reallocate the Purse Seine quote proportionally  
15 among categories utilizing the current percentage  
16 pies, so to speak, pieces of the pie. Somebody  
17 said, "Well, we don't have a (inaudible) approach,  
18 but reallocate where it would be economically  
19 stimulating." Reallocate all to the general  
20 category, reallocate to all categories, except  
21 longline, and then basically, anything you could  
22 think of for the other iterations of all the

1 subquota categories or the quota categories within  
2 the bluefin fishery. Different folks wanting  
3 different schemes of reallocation.

4           And so, speaking of the Purse Seine  
5 Fishery, I just thought I'd show a picture of some  
6 Purse Seine catch of bluefin.

7           And then, to switch gears to the IBQ  
8 program, of course, the quota allocation and  
9 method of quota allocation is a principle theme.  
10 As Marty mentioned this morning, this is of great  
11 concern to him and others in the industry. No  
12 changes are warranted. Don't increase the quota.  
13 There's concern about bluefin catch increasing.  
14 But then, there was also support for dynamic  
15 allocation to active vessels and then various  
16 ideas of how you define active vessels and how you  
17 allocate to such vessels based on effort is the  
18 common theme, but then, of course, the rubs in how  
19 you define effort so you could allocate based on  
20 landings or numbers of hooks or numbers of sets  
21 each arguably being representative of effort or  
22 analyst effort.

1           Base allocation on the prior three years  
2           of activity. So, some suggestions with respect to  
3           whether this is one year of data or more than  
4           that. Count the Northeast Distant Area effort in  
5           such a system or don't count the NED. And  
6           although this is a small subset of the fishery,  
7           there's folks concerned about impacts pro and con  
8           and how this specific subset of the fishery  
9           relates to the whole. And then, concern and  
10          suggestion about providing IBQ allocation to new  
11          entrance or those without allocation.

12           Other aspects of the IBQ program, the  
13          Gulf of Mexico. There's currently a constraint on  
14          the use of bluefin quota in the Gulf of Mexico via  
15          a set allocation of Gulf of Mexico designated  
16          quota. Folks are interested in more flexibility  
17          to allow the Atlantic vessels to fish in the Gulf  
18          while still maintaining some type of control over  
19          an overall effort on the Gulf of Mexico. And  
20          then, Gulf of Mexico dealers noted their interest  
21          in continuing an increase in the catch of target  
22          species because dealers are an integral part of

1 the fishery and so, more Atlantic based vessels  
2 fishing in the Gulf of Mexico could help those  
3 folks.

4 Don't allow permanent sale of IBQ  
5 shares. Currently, IBQ is only allowed to be  
6 leased on an annual basis and there is no  
7 permanent sale allowed. Folks came out fairly  
8 strongly with the sentiment that there should not  
9 be a permanent sale allowed in the future either.  
10 No need to set a cap on IBQ allocation use or  
11 leasing. Set a cap on IBQ allocation use at, for  
12 example, 20 percent of the longline quota.

13 Electronic monitoring. Their  
14 suggestions ranged from no change needed. We need  
15 to focus on improving the current to no, we should  
16 improve EM. We need better viewing of bluefin  
17 tuna and more accurate measurements needed.

18 Switching to the General category  
19 fishery. Much of the suggestions around the  
20 subquota quota periods and associated percentages  
21 ranging from do not change. Businesses and the  
22 fisheries are structured around the current system

1 and change, although well intended, would be  
2 detrimental and cause uncertainty. A common theme  
3 was extend to January subquota period until the  
4 end of April and/or increase the January subquota  
5 to about 14.8 percent. Likewise, a theme was  
6 reduce the relative amount of quota to the June to  
7 August period and provide that to the fall time  
8 periods. And for each of the major themes, there  
9 was, of course, many sub suggestions and very  
10 specific suggestions, which, if you're interested,  
11 you can follow-up with me or look online at the  
12 exact precise comments.

13 Continuing. The rationales that were  
14 associated with the desire for changes, whatever  
15 they were, are listed here on the principle  
16 rationales where environmental conditions have  
17 been shifting, bluefin availability is shifting by  
18 about a month. The dynamics of the fishery are  
19 changes. There are pulses of fish showing up.  
20 Technology is booming. Social media proximity to  
21 fish technology have contributed to recent surges  
22 in landings. International dynamics have been

1 affecting price more than fisher limits and  
2 conditions in factors affecting the northern and  
3 the southern fisheries are different.

4           The harpoon fishery continue to allow  
5 the use of harpoons in the General category  
6 because there is little impact on the quota. This  
7 has been a concern by some. Restrict the use of  
8 harpoon gear to the Harpoon category only so this  
9 would constitute a change. Modify the starting  
10 and end dates for the harpoon fishery. Either end  
11 earlier or later or start earlier or later. Set  
12 retention limits for the giants creating 81 inch  
13 fish for which currently there are no specific  
14 retention or trip limits. And then, change the  
15 range of authorized retention limits of the large  
16 medium to widen that range to provide HMS more  
17 authority for in season management.

18           Charter/Headboat fishery examples.  
19 Allow the use of harpoon gear in the  
20 charter/headboat. Don't allow such use of harpoon  
21 gear in the charter/headboat because it would  
22 increase fishing effort. Require U.S. Coast Guard



1 safety stickers to obtain a permit. The  
2 underlying concern is there are too many vessels  
3 not meeting the current commercial vessel safety  
4 restrictions imposed by the Coast Guard. And  
5 then, eliminate flexibility for charter/headboat  
6 category. Currently, the commercial/recreational  
7 ability to fish under either sets or regs by trip  
8 should be eliminated by splitting this effectively  
9 into two categories. Those that would target the  
10 recreational size range fish not for sale and then  
11 those that would target the commercial ranged fish  
12 that allow sale.

13           And then, lastly, the recreational  
14 Trophy fishery. As we've discussed in the past  
15 couple years, concerns about how this fishery is  
16 operating. Trophy quotas need to be increased  
17 everywhere. It's good for the recreational  
18 fishery. Increase everywhere but the Gulf of  
19 Mexico due to the ICCAT prohibition on targeting  
20 there and underlying concerns about spawning  
21 bluefin in the Gulf. Create a new northern trophy  
22 area on quota. Currently, the quota is attained

1 in the northern area and the fisheries close  
2 before the fish are even in northern waters and  
3 there are very few fish less than 73 inches in the  
4 north, therefore, the greater than 73 inch fish  
5 are of relative high importance in the north in  
6 contrast to the south. And then, a new line  
7 suggested, for example, north of Nantucket and  
8 Martha's Vineyard or Chatham such as the 42 degree  
9 line.

10 And so, that's a very quick synopsis. I  
11 know I blew through it pretty quickly and this  
12 fish is representing another portion of the  
13 directed fishery be it recreational or commercial.  
14 So, the next steps in the regulatory this far will  
15 be analyzing data, developing analyzing  
16 alternatives and drafting regulations, developing  
17 DEIS and proposed rule with the intent to publish  
18 a proposed in DEIS during the first half of 2020.  
19 The timing consideration, of course, is it would  
20 be great if we could have the common period  
21 coincide with the advisory panel meeting. Always  
22 work best for obtaining your comment and

1 (inaudible) that with the proposed rule process.  
2 During the 2nd to 3rd quarter of 2020, depending  
3 on, of course, the timeline of the DEIS, would be  
4 the completion of the comment period and  
5 development of the FEIS and a final rule. Last  
6 portion of 2020 publication of the FEIS and a  
7 final with a delayed effectiveness and optimal  
8 target date for implementation would be January  
9 2021. The effective date for most if not all the  
10 measures, of course -- because it is a challenging  
11 timeline, it's possible that most of the measures  
12 would be effective January 1 and some delayed  
13 depending on implementation challenges.

14 So, for more details, please don't  
15 hesitate to contact myself or members of the  
16 Amendment 13 team listed here. We have the  
17 relevant phone numbers and the federal rulemaking  
18 portal [regulations.gov](https://www.regulations.gov) is a good spot for a very  
19 detailed view of the regulations.

20 MR. BROOKS: Thanks very much, Tom. We  
21 have about ten minutes for questions or comments.  
22 Again, operator, if you wouldn't mind opening up

1 the lines so in case AP members who are on the  
2 call have questions that will be great and let's  
3 start with the table. I see a card at the end. I  
4 can't tell. Is that -- whose card? George?  
5 Yeah, please.

6 MR. PURMONT: Thank you. A couple of  
7 things. First of all, I appreciate the scoping  
8 meetings. I attended the one in Plymouth. I  
9 thought it was a great presentation by Tom, Sarah,  
10 and Brad. It wasn't very well attended, but  
11 there's nothing you can do about that. It was  
12 done and it was well done. In regard to Purse  
13 Seine, which is something that I've been involved  
14 in since about 1968, the boats have been sold.  
15 One of the boats is in Maine, others in Monte,  
16 Ecuador. The other three boats were sold to a  
17 consortium in Fairhaven. Licenses were not  
18 transferred or there's still some legal grey area  
19 as to whether or not these boats can actually be  
20 resurrected into the fishery, but it's never been  
21 challenged by National Marine Fisheries and I  
22 think it should have been. So, I think that the

1 United States National Marine Fisheries should  
2 discontinue the ability to lease from the seiners  
3 to the longliners. I think that that was a bad  
4 idea. That's a 401K program for non-participation  
5 and I don't think that was ever the intent to  
6 reward somebody for not being there. If you have  
7 a quota, you should have your uniform on, you  
8 should be on the bench, you should be ready to  
9 play. You should not be rewarded for  
10 non-participation.

11 I think that we should discontinue the  
12 fishery. It's done. It's over. The  
13 redistribution of the quota, if I were the king of  
14 the world, I would like to see a high percentage  
15 of it go to the longliners because they can use  
16 the quota to catch in a non-targeted method  
17 longline fish such as swordfish and tunas and I  
18 think it gives them a greater access to capture  
19 their targeted species. Thank you.

20 MR. BROOKS: Thanks very much, George.  
21 Marty and then Pat.

22 MR. SCANLON: Like is said previously

1       there, you know, a lot of these questions  
2       pertaining to the Purse Seine and the, you know,  
3       allocations of what to do with that Purse Seine  
4       quota I think is premature here until we actually  
5       get the quota into the active pelagic (inaudible)  
6       industry so they actually understand what their  
7       needs are and give them the flexibility to execute  
8       the fishery. You know, if we're going to move  
9       forward, I would be against any permanent  
10      reallocation of the Purse Seine quota to any  
11      category until we got to the A 13 review process  
12      so we could take into account what the actual PLL  
13      industry will need. You know, like I said, you  
14      see some comments there we give it all to the  
15      General category, well, we just had a situation  
16      this past Summer here where I believe (inaudible)  
17      actually sent out a notice to the General category  
18      asking them not voluntarily not to go fishing  
19      because of the collapse of the bluefin market.  
20      So, I mean, that's a total waste of a resource.  
21      So, I mean, that's, you know, to me the whole  
22      thing mismanaged all along here with that. You

1 know, there's very little value in these fish. I  
2 mean, so, the (inaudible) goal line is not  
3 targeting these fish. You know, we do run into  
4 these there where were targeting or out targeting  
5 the species.

6 So, you know, A7 has greatly limited our  
7 ability to catch our targeted catch and that needs  
8 to be addressed in here somehow. You know, as far  
9 as actions to the Gulf of Mexico, there's very  
10 little quota in the (inaudible) Gulf of Mexico  
11 because of the deep water horizon restoration  
12 project and because of, you know, the limit of  
13 these boats being able to get into the Gulf of  
14 Mexico. So, I mean, we're not coming anywhere  
15 near the 35 percent that's put aside for the Gulf  
16 Mexico. So, you know, we do look to protect the  
17 Gulf of Mexico boats that are in there. We  
18 wouldn't want to give access to the Atlantic post  
19 where it would jeopardize their continuation of  
20 their fishery throughout the year, but, you know,  
21 there's definitely room for access to the Atlantic  
22 post to go over there and fish to some extent and

1 that needs to be seriously considered.

2           As far as, you know, efforts by hooks  
3 and sets, I mean, under Amendment 7 we're  
4 encouraged to not catch bluefins and (inaudible)  
5 not to catch bluefins and Blue Water's position is  
6 to do it by reallocating it by sets, single sets  
7 per calendar day. You know, to do it by hooks,  
8 you're encouraging people to fish irresponsibly to  
9 be rewarded with bluefin tuna fish for the  
10 irresponsibility. I mean, we are supposed to be  
11 designing out sets and making our set activity to  
12 avoid bluefin tuna. We shouldn't be reward for  
13 just, you know, irresponsibly setting as many  
14 hooks as we want as irresponsibly as we want and  
15 be rewarded for fish that the amendment is  
16 designed for us not to catch. So, that doesn't  
17 make any sense to me to do it that way at all or  
18 even to consider that so I say we just need to  
19 reset it by allocation -- reset the allocation by  
20 sets and we need to do that as quickly as possible  
21 so we can try to possibly answer some of these  
22 questions as it pertains to the Purse Seine



1 category.

2 MR. BROOKS: Thanks, Marty. I'm going  
3 Dewey and then up to Mike and if we have time, I'm  
4 going to come back to you back.

5 MR. HEMILRIGHT: Yes, thank you. I've  
6 got a question, if you're a pelagic longline  
7 fisherman and you're given a certain amount of  
8 quota whether it be one of the three tiers and you  
9 take your permits and you put them on a no vessel  
10 I.D., are you still given that quota or where does  
11 that quota that you're initially given, how is it  
12 dispersed out among the other vessels that are  
13 fishing or is it?

14 MR. WARREN: It's essentially in the  
15 freezer. So, if that permit were associated with  
16 a vessel during the year, we'd take the quota out  
17 of the freezer. So, it's basically setting aside  
18 the relative portion for the vessel, but not  
19 actually allocating it.

20 MR. MCHALE: So, two quick points.  
21 Dewey, to your point, a lot of it has to do with  
22 the timing of when the permits are moved to no

1 vessel I.D. We distribute the IBQ allocation on  
2 January 1 of each year so if the permits are  
3 transferred after January 1, then the allocation  
4 would reside with the permit holder could be  
5 redistributed. If the permits are not associated  
6 with the vessel on January 1, just as Tom had  
7 mentioned, that quota is kind of held back until  
8 that point in time the permits are associated with  
9 the vessel. So, if all the sudden January 1 it's  
10 no vessel I.D., June 1 you transfer them on to a  
11 vessel, that is when that quota would be  
12 redistributed. So, I think that kind of gets to  
13 some of the nuances there and then just one  
14 clarification on the comment Marty had said, the  
15 agency actually didn't condone or condemn fishing  
16 for bluefin tuna in the General category. What  
17 the agency notice stated was check with those that  
18 would be purchasing your fish to ensure that if  
19 they were brought dockside, there was a place for  
20 them to go versus just having a significant amount  
21 of fishing effort, but not place to then market  
22 those fish so I just wanted to clarify that for

1 the record that it wasn't an agency communication  
2 pro or con fishing, it was more informing them of  
3 the conditions that they were operating  
4 underneath.

5 MR. BROOKS: Thanks, Brad. I've got  
6 four people who want to get into the cue and we  
7 will push this about five minutes just to get  
8 everybody in, but I ask you to be as focused as  
9 you can so we'll go Mike, Pat, and Ellen.

10 MR. PIERDINOCK: Thank you. Mike  
11 Pierdinock. There is one measure here to  
12 eliminate to flexibility of the Charter/Headboat  
13 category. By splitting into two categories,  
14 either recreational or commercial, there was HMS  
15 AP that used to sit around the table that put this  
16 forward to not allow the flexibility specifically  
17 for those Charter/Headboats fishermen from  
18 Massachusetts on north. The trophy category  
19 always closes early and we never get the  
20 opportunity to keep that open and this provided us  
21 a mechanism in order to still be provided the  
22 ability to land giant bluefin tuna. That would be

1 a significant detrimental impact to the  
2 Charter/Headboat fleet in those water because we  
3 have bluefin, that's all we have, we have no other  
4 options so I just want to point that out that I  
5 believe it was Tom DePersia from Marshfield who  
6 used to sit -- I'm sitting in his seat. He needed  
7 this and we continue to need this, all of us from  
8 Massachusetts on north. Thank you.

9 MR. AUGUSTINE: I promise -- quick one.  
10 Tom, under recreational trophy fish we also it was  
11 an example, was there data supported to the new  
12 line north of Nantucket and Martha's Vineyard as a  
13 possible move or is that just an example that you  
14 put in here?

15 MR. WARREN: That was example suggested  
16 by a commenter. We haven't analyzed the data yet.

17 MR. AUGUSTINE: So, would the staff  
18 develop some option or take any action on that?

19 MR. WARREN: We would certainly analyze  
20 it. It's premature to say whether that would be  
21 an option or proposed, but, again, everything is  
22 in the mix at this point.

1                   MR. AUGUSTINE: Well, if that's the  
2 case, I would almost suggest that we take a look  
3 at the 73.30 line, I think 72 or 73.30 line off of  
4 Mauricius to see if there are any fish of  
5 significant size as opposed to moving all the way  
6 up to Nantucket because we do have long island  
7 fisherman that do go all the way up there for the  
8 giants. Thank you.

9                   MS. BECKWITH: Thanks. On page 10 under  
10 the General category of subquota periods and  
11 percentages I really have two main comments.  
12 Under the do not change, business is structure  
13 around current systems. I'm fine with that  
14 verbiage, but the last phrase change would be  
15 detrimental, I find that a bit subjective. I  
16 think for every that would find that change would  
17 detrimental, I think there would be another subset  
18 of constituents that would think that flexibility  
19 would offer opportunity.

20                   Under the second bullet point, extend  
21 the January period until end of April and increase  
22 January subquota to 14.8, I think those need to be

1 two bullet points when they're presented. It  
2 makes it sound like those are sort of all or  
3 nothing. That they're paired, but that's in fact  
4 not the case and at least the counsel has been in  
5 support of extending that January period until the  
6 end of April and has not necessarily had feelings  
7 on increasing the subquota. So, we would  
8 certainly be fine with it, but, you know, those  
9 two points need to be separate. If you guys are  
10 going to, you know, leave in something as  
11 subjective change would be detrimental under the  
12 first point, I think under the second point you  
13 probably need to add in extend January period  
14 until the end of April, change would increase  
15 opportunity. Make it equally subjective.

16 MR. WARREN: Again, these were meant to  
17 be high level painting the picture and I agree  
18 they don't capture the range or the precise  
19 nuances of associated ideas that were submitted.  
20 Folks submitted detailed well thought out letters  
21 and comments and that's not lost on us. Thank  
22 you.

1                   MR. BROOKS: Thanks. Alan.

2                   MR. WEISS: I have a quick question and  
3 then a comment. The question is getting back to  
4 the IBQ that is sequestered in allocations where  
5 there's no vessel I.D. or with vessels that are  
6 not actively fishing, what portion of the total  
7 allocation is sequestered in those areas?

8                   MR. WARREN: If my memory serves me,  
9 approximately 25-30 percent sequestered.

10                  MR. WEISS: Okay. Thank you. Well, it  
11 seems to me that's a rather substantial chunk of  
12 quota and, first of all, I don't know how the  
13 category can utilize the quantity of fish that's  
14 been apportioned to it if that much of it is  
15 sequestered and can't be touched. And, secondly,  
16 if you have that much set aside under a mechanism  
17 where's it's not being utilized, then how do you  
18 obtain optimum yield required under National  
19 Standard 1 and how do you satisfy the other legal  
20 requirements to allow a reasonable opportunity to  
21 harvest the international assigned quota?

22                  MR. WARREN: If you characterize the

1 catalyst for Amendment 13, what are the catalysts.

2 MR. WEISS: Then, I'm sorry, then the  
3 point is that that, as Marty said, this needs to  
4 get resolved so that the other things that relate  
5 to quota allocation that surround that, are going  
6 to be dependent on how this gets resolved and how  
7 this dormant or latent quota gets freed up and  
8 distributed.

9 MR. MCHALE: Yes, I'd like to chime in  
10 here a little bit because I've heard a few things  
11 around the table right now. So, let's not lose  
12 sight of what our role here is. We are the  
13 National Marine Fishery Service and how things get  
14 resolved are typically done through regulatory  
15 actions and so, obviously Amendment 7 was a big  
16 one. Implemented a number of different changes  
17 that were new to the fishery. I think we went  
18 into that all eyes wide open and now we're looking  
19 to the subsequent Fishery Management Plan  
20 amendment to address, as Tom had stated, what has  
21 worked, what hasn't, what needs to be eliminated,  
22 kept, reintroduced, what have you. And so, as



1 folks are thinking through what the agency, what  
2 the fishery, what we collectively need to do and  
3 hearing something needs to be addressed. That  
4 needs to also then be framed to the context of  
5 what tools do we as a regulatory agency, whether  
6 it be frame workable actions, whether it be in  
7 season actions, or FMP actions that we're actually  
8 able to operate underneath because those are going  
9 to be the constraints. As we're fielding the  
10 inquiries and we know the inquires are diverse,  
11 but those are going to be the constraints we're  
12 going to be operating underneath of how  
13 expeditiously we're able to follow through with  
14 either requests or to properly analyze them.

15           So, I just want folks to keep that in  
16 mind that, you know, I'm speaking to the choir  
17 here, but we're a federal regulatory agency so  
18 there are the processes that we need to go through  
19 and it's not lost on us. Some of them have longer  
20 timelines than others, but it's also not lost on  
21 us that we don't necessarily have free reign with  
22 the (inaudible).

1                   MR. BROOKS: Okay. I've three got three  
2 people who want one last bite at the conversation.  
3 I'll give you 30 seconds each and then we must  
4 push to the Cost Earnings Survey Summary. Mike.

5                   MR. PIERDINOCK: This really addresses  
6 what you said, Pat. If you think about it, the  
7 northern recreational line is from Egg Harbor on  
8 north so this would then go from Egg Harbor to  
9 that 42 line so that would be a new independent  
10 zone and then from there on north so maybe doing  
11 the same thing that you're looking for. Thanks.

12                   MR. SCANLON: I think Tom Warren's guess  
13 in the percentage of that is way off. I think 25  
14 percent of the boats -- the research that I did in  
15 preparing our comments, or hopefully prepare our  
16 comments I really should say, indicates that  
17 there's 25 boats that are in no vessel I.D., which  
18 is roughly 20 percent of the category, and there's  
19 another 25 percent over the 3, the various 23, 26,  
20 25, of vessels that either didn't lease their  
21 quota or didn't utilize. So, if you combine those  
22 two numbers, you're at 43 percent of the pelagic

1 longline category is either not found, not been  
2 able to be accessed, or is inaccessible at all.  
3 So, you're talking 43 percent of the overall  
4 pelagic longline category, the PLL industry at  
5 this point has not been able to access. So,  
6 that's the significance of how quota is being left  
7 on the table that these active vessels needs to  
8 get their hands on so we can move forward to find  
9 out what else we can do here.

10 MR. BROOKS: Nicely done. Okay. Great.  
11 Last chance phone, webinar, anybody wanting to  
12 weigh in there?

13 MR. WARREN: With respect to the nuts  
14 and bolts and referencing the facts and whether my  
15 memory is perfect or Marty's, I recommend  
16 consulting the three year review, which is again  
17 is going to be finalized about the end of  
18 September that has a lot of the reference data  
19 we'll be using as we go forward in addition to new  
20 data analyzed in the DEIS. Thank you.

21 MR. BROOKS: Good. Thanks, Tom. Okay.  
22 Thank you very much. At this point, I want to ask

1 Cliff and George. One last check on the phone.  
2 Operator, are the phones open?

3 OPERATOR: They are open.

4 MR. BROOKS: Okay. And didn't hear  
5 anyone seek in to chime in on that last  
6 conversation. Is that right?

7 OPERATOR: Correct.

8 MR. BROOKS: Okay. I'll let you close  
9 them back up again for a little bit. All right.  
10 So, as I mentioned earlier, we want to spend a  
11 little bit of time here handing this off for  
12 discussion sort of a preliminary look at the  
13 General category Cost Earning Survey Summary.  
14 Emphasize that this is preliminary, but it would  
15 be helpful to get your some sort of initial  
16 reaction feedback to what you're hearing. It will  
17 be useful to the team up here as they're drafting  
18 a report as well. And just a reminder to folks  
19 that we need to end this conversation, despite  
20 what the agenda says, not later than 3:15 because  
21 we have to save 15 minutes Fish and Wildlife  
22 service folks to come in and talk about shortfin

1 mako CITES listing. And if we can get more than  
2 15 minutes, we will take that too. Go.

3 MR. HUTT: Thank you. My name is  
4 Clifford Hutt and this is George Silva. We've  
5 been working on this study for the last couple of  
6 years and we're going to tag team this  
7 presentation. I'll cover about the first half and  
8 then George will jump in to discuss the analysis.  
9 I'm going to cover some background on the purpose  
10 of the logbook study, general trends that we've  
11 been seeing over the last several years in the  
12 General category, how we executed it and basic  
13 trip catch statistics, and then George will speak  
14 about the trip, the economics of these General  
15 category trips, and some annual expenditures data  
16 we collected.

17 The purpose of this study was to  
18 estimate economic activity of the HMS fishing  
19 under the Atlantic unas General category quota  
20 annually and by subquota period. This includes  
21 General category permit holders and  
22 Charter/Headboat permit holders who have the

1 commercial for sale endorsements. We've never  
2 previously really collected data on this fishery  
3 aside from the figures on how much the dealers  
4 paid for the bluefin tuna and other fish that were  
5 caught under this category and given various  
6 greater activity seen in the General category in  
7 recent years, we thought it was time that we start  
8 collecting some of this information.

9           We did it in the form of a cost earnings  
10 logbook study where they were to report data on  
11 their cost associated with each trip. It was  
12 conducted from January to December of 2018. In  
13 addition to economic data, we also collected basic  
14 data on effort, catch, harvest, and the cost and  
15 earnings and also their annualized expenditures  
16 involving things like boat, equipment, insurance  
17 at the end of the year. And that included both  
18 basically whatever they were using for this  
19 fishery even if it wasn't the only fishery they  
20 were using it for.

21           Basic trends of the Bluefin Tuna  
22 Fishery, our current TAC for the entire Western

1 Atlantic Bluefin Tuna Fishery is 2,350 metric  
2 tons. The U.S. quota is a little under 1,250  
3 metric tons as of 2018 and we've seen a lot of  
4 fluctuation over the last 20 years over U.S.  
5 Landings of bluefin tuna, but in recent years  
6 they've been slightly on the upswing and  
7 stabilizing and most of these landings have been  
8 accounted for in the last five years by the  
9 General category fishery.

10 In the last five years alone, while the  
11 number of permit holders under both the General  
12 category permit and the HMS Charter/Headboat  
13 permits, remained roughly constant and consistent.  
14 We have seen the number of bluefin tuna landed by  
15 these vessels roughly double and the number of  
16 vessels landing them roughly double as well  
17 suggesting these increase in landings are being  
18 distributed across the fleet and not just  
19 concentrated on a handful of vessels.

20 So, we selected just under 682 vessels  
21 that had a history of bluefin tuna landings in  
22 2016 and 2017 for reporting. In 2018, 587 of

1 those vessels renewed their permits or in the case  
2 of the Charter/Headboat permit holders, got the  
3 commercial sale endorsement. So, just under 100  
4 of them were dropped out of the study because they  
5 weren't eligible to fish commercially for bluefin  
6 tuna.

7 All these vessels, just before the  
8 beginning of 2018, were mailed a packet that  
9 included copies of all the relevant forms from the  
10 survey for their reference, but they were  
11 primarily encouraged to complete the survey online  
12 and were provided a weblink and PIN number to  
13 complete the forms.

14 Of the 587 permit holders that were  
15 selected, 457 of them returned either trip or no  
16 fishing reports throughout the year so roughly 78  
17 percent of them. 334 vessels provided trip  
18 reports, 123 provided no HMS fishing reports.  
19 They were not required to report on non-HMS  
20 fishing trips and 184 completed the annual  
21 expenditure form.

22 This line we kind of look at the



1 distribution of bluefin tuna landed per month  
2 along next to the distribution of trip reports we  
3 received by month. You can see from the graph  
4 that they roughly match up suggesting the data we  
5 collected at least temporally throughout the year  
6 was roughly representative of the fishery.

7 Out of a little over 4,200 bluefin tuna  
8 that were landed by the general category, under  
9 the quota in 2018, just over 2,900 of those were  
10 landed by vessels that were selected for reporting  
11 and we received trip reports that accounted for  
12 just over 1,700 of them or 58 percent of those  
13 fish.

14 In addition to receiving reports on  
15 trips that were landing HMS or commercially  
16 targeting HMS, we received 61 trip reports that  
17 were associated with tournaments, which half of  
18 those actually reported selling HMS. 237 trips  
19 reported being for hire trips. They were  
20 instructed not to report on for hire trips, but 83  
21 of those trips actually sold fish. So, basically,  
22 any trips that were for hire that did not report

1 selling fish were excluded from further analysis  
2 and the vast majority of trips reported were  
3 reported by owner operated vessels.

4 In this graph, you can kind of see  
5 distribution of latitude and longitude of reported  
6 trips. We asked them to report their lat long by  
7 degree and minute. The larger the hexagon the  
8 more trips reported in a given area. The darker  
9 the shade of the blue, the more bluefin tuna  
10 landed in that area. So, you can see off of kind  
11 of the northern Massachusetts coast we had lots of  
12 trips taken, but not as many fish landed as say as  
13 off of Cape Cod where you had fewer trips taken,  
14 but a lot more bluefin tuna landed.

15 You can see that the trips were really  
16 concentrated in the area of kind of the Gulf of  
17 Maine north of Cape Cod and then a good number of  
18 trips down off of North Carolina, which were  
19 primarily into winter.

20 Here we have the distribution of  
21 reported bluefin tuna landings by state and sub  
22 quota and light blue is Maine, darker blue is New

1 Hampshire, orange is Massachusetts, purple is  
2 Rhode Island and New York, and red is North  
3 Carolina. We had a little over 150 bluefin tuna  
4 landings reported for the Winter fishery and North  
5 Carolina and then, like around four or five  
6 reported in the Fall in North Carolina.  
7 Throughout the rest of the year, the fishery was  
8 primarily occurring in Massachusetts followed by  
9 Maine and New Hampshire.

10 We also data on non-bluefin tuna  
11 landings and catches. Over half of these were  
12 accounted for mackerel, which were not being  
13 landed for sale, but primarily for bait. Other  
14 fish we saw a number landed of were yellowfin tuna  
15 and haddock and a variety of other species.  
16 Discards reported, about 36 percent of reported  
17 discards were mackerel, 14 percent were bluefin  
18 tuna, which we assumed were primary regulatory  
19 discards of undersized fish for the General  
20 category followed by pollock, haddock, cod, squid,  
21 and other species. And now we'll get into the  
22 economic portions and George Silva will take over.



1 at these expenses, we noticed that the average  
2 costs of trips changed depending on whether the  
3 trip was successful in landing a bluefin tuna or  
4 not successful so there's a little bit of a, you  
5 know, two different kind of bins of types of  
6 anglers and probably more casual anglers and more  
7 those that are General category fisherman I mean.

8 Based on 1,337 trips that reported  
9 bluefin tuna landings with full data, we broke  
10 down the revenue costs and returns. Here you  
11 could see fuel made up a quarter of the expenses  
12 on a trip. Captain and crew 42 percent, tackle 13  
13 percent, and then there's various other expenses  
14 in different categories. In these trips, 92  
15 percent of the trips only landed one bluefin tuna,  
16 which is interesting to note. We have a lot of  
17 talk about bag limits and all that, but, you know,  
18 one bluefin is the most common outcome of  
19 successful trips. The average price per bluefin  
20 was \$2,306 or \$6.86 per pound. Data suggests that  
21 on average one bluefin for every three trips will  
22 cover costs so bluefin tuna revenue on a given

1 trip is about almost \$2,500. Net trip costs were  
2 \$823 and net return of \$1,662 for these successful  
3 trips.

4 Let me jump to the next slide. On this  
5 slide, we're just kind of characterizing some of  
6 the bluefin tuna landings and their associated  
7 prices. As you can see here, on the left side of  
8 this graph is the average weight of the bluefin  
9 and on the right side that represents the line, is  
10 the price per pound. Fish price and weight were  
11 pretty correlated here. In the Summer and Fall  
12 where higher prices and average weights were a bit  
13 higher than the Winter and Spring subquota  
14 periods, yeah and September.

15 On this next chart, we kind of break it  
16 down in the same sub quota category periods, but  
17 here we break out revenue costs, net revenue per  
18 trip, and also show the price in relationship.  
19 The highest net trip returns were in the Summer  
20 and the highest cost per trip in the Winter  
21 fishery. Those impacted net returns.

22 Now, kind of looking at overall total

1 bluefin tuna revenue versus trip costs, we took  
2 the averages and then also obtained total bluefin  
3 tuna revenue based on the dealer reports that we  
4 obtained and the General category costs were then  
5 extrapolated from average costs reported in the  
6 logbook and the estimate of the number of total  
7 General category trips. We estimated those trips  
8 for June through October based on LPS estimates  
9 and private trips taken on Charter/Headboat permit  
10 holders in Maine, New Hampshire, and Massachusetts  
11 for those time periods. For the months of January  
12 through March, November, December, the ratio of  
13 non- catch to catch trips in the logbook was used  
14 to extrapolate the estimates from the number of  
15 trips to land bluefin tuna based on dealer reports  
16 during those months because in those time periods  
17 the LPS is not as helpful for that type of  
18 estimation.

19           So, here we have total bluefin tuna  
20 revenue based on those dealer reports of 9.8  
21 million dollars, estimated total trip costs of 7  
22 million 333,000 thousand dollars giving us a net

1 trip revenue of approximately 2.5 million.

2 And that kind of takes us to the next  
3 category, which is our annual expenditure form.  
4 This was one form that was given to each of the  
5 participants to fill out at the end of the year.  
6 We received 184 annual expenditure forms, which is  
7 about a 31 percent response. As Cliff mentioned  
8 before, we encouraged folks to use the web, but  
9 there was also paper option. For this particular  
10 form, we had 72 percent response rate on the web,  
11 which is really high, and 28 percent via paper.

12 So, let's take a look at the results for  
13 annual expenditures. Some of the big categories  
14 that we found were, as you would expect, repair  
15 and maintenance, purchase of capital, vessel boat  
16 loan payments, dockage and rental utilities. That  
17 made up more than half of all the annual  
18 expenditures, but this chart here kind of breaks  
19 down all the different categories we asked folks  
20 about.

21 This next page we kind of provide some  
22 detail statistics on those expenditures and also



1 broke out the percent reporting. So, you could  
2 see a lot of the categories are not for everyone.  
3 But as expected, everyone pays for fishing permits  
4 and licenses. It's 100 percent. And the second  
5 category that most people spend on is repair and  
6 maintenance. That's pretty critical for General  
7 category fishing and fishing supplies. So, those  
8 are kind of the top three. Really in terms of  
9 cost, repair and maintenance, purchase of capital,  
10 and dockage were the top three. And we also had  
11 some smaller categories, not to overwhelm, these  
12 were categories with less than half reporting  
13 their expenses, but some of these expenses are  
14 still significant. So for those that don't own  
15 their boats outright, that's a loan. Boat loan  
16 payments are a pretty substantial amount, and  
17 that's more than \$3,000 a year on those payments.

18 Other annual one-time expenditures and  
19 business taxes paid were also pretty important.

20 So kind of to get us to the endpoint  
21 here, the average annual expenditures for General  
22 category vessel that was reported in the survey

1 was \$29,000 median annual expenditures. We're at  
2 15,746. It's a bit lower because there's  
3 definitely a skew in the data. A lot of folks,  
4 you know -- there are large distribution, then  
5 some really more -- larger boats, more exotic  
6 boats, higher expenditures kind of pulling the  
7 outlier to the right.

8 But if you take the median, which is  
9 kind of the midpoint, of reported expenditures and  
10 you multiply them by the 932 General category and  
11 Charter/Headboat vessels that landed bluefin in  
12 2018, we estimate that total annual expenditures  
13 on these kind of fixed annual expenses was  
14 approximately 14.6 million.

15 So on this last slide here I'm going to  
16 try to pull it all together with the revenue and  
17 expenditures that we've talked about so far with,  
18 as I mentioned, before total bluefin revenue  
19 approximately 9.8 million; estimated total trip  
20 costs 7.3 million; annual expenditures 14.7  
21 million; bringing the total General category costs  
22 or expenditures basically in the economy of just

1       about \$22 million.

2                   And then we noted that the net revenue  
3       just from -- but this is net bluefin tuna revenue  
4       minus costs is actually a net loss of 12 million.  
5       But we wanted to note here that revenue here only  
6       really includes bluefin tuna, but, as Cliff noted  
7       in this slide, there are other species being  
8       caught. There are other fishing activities  
9       actually going on in terms of charter fishing. I  
10      did know some folks mentioned they do lobster in  
11      the offseason. So all those other fishery  
12      activities offset that fixed cost that they  
13      reported on their annual expenditure form.

14                   So some of the next steps, first will be  
15      getting your feedback on these preliminary results  
16      at this meeting and incorporating that. We also  
17      want to estimate the economic impact of these  
18      expenditures on local economies. We use an  
19      input-output model to estimate local -- the income  
20      effects of these expenditures, how many potential  
21      jobs in the local economies are generated by these  
22      expenditures.

1                   We also hope to discover further  
2                   insights from this data and publish our findings  
3                   in the near future.

4                   So with that, I think we have some time  
5                   to take a few comments.

6                   MR. BROOKS:   Yep.  I'd like to see if we  
7                   can keep this to 10 minutes because we definitely  
8                   have Fish and Wildlife Service here.  I want to  
9                   make sure we give them enough time to give us  
10                  their update and take a question or two.

11                  So questions or comments on this?  And  
12                  again, Operator, if you could open the phone lines  
13                  for webinar folks.  I'm going to start with the  
14                  webinar, see if there's anybody there who wants to  
15                  weigh in.

16                  OPERATOR:  Lines are open.

17                  MR. BROOKS:  Thank you.  Any webinar AP  
18                  members want to weigh in with a question on the  
19                  survey?

20                  Okay, thanks, Operator.  Dewey.

21                  MR. HEMILRIGHT:  Yeah, I was wondering  
22                  if there's a breakdown of General category permits

1 by state.

2 MR. HUTT: Yeah, I mean, we have that in  
3 the SAFE report and it would definitely be  
4 included in the final report. I know, I mean, big  
5 hotbeds for that permit are primarily in New  
6 England, Massachusetts, New Hampshire, Maine.  
7 But, also, you know, seeing more down in North  
8 Carolina, although a lot of the guys participating  
9 down there are more the Charter/Headboat permit  
10 holders.

11 MR. HEMILRIGHT: And one other thing.  
12 When you had your price for your ice, is there any  
13 such thing as how many pounds of ice it was?  
14 Because it wasn't very much money for ice. It  
15 didn't look like -- maybe everybody got free ice  
16 or something, I mean, cheap ice. I was just  
17 curious.

18 MR. SILVA: I was trying to see if I  
19 could see the --

20 MR. BROOKS: George, I'm going to let  
21 you look and while you're looking, I'll take  
22 another question. Mike.

1                   MR. HUTT: We actually did not include a  
2 data field for pounds of ice, unfortunately.

3                   MR. SILVA: Yeah, with that, I'd say go  
4 to Slide 14.

5                   MR. BROOKS: Hang on. I think Walt has  
6 got something to fill in on that point.

7                   MR. GOLET: Yeah, just to the point for  
8 Dewey. Massachusetts, 972; Maine, 658; the rest  
9 are minor, North Carolina's 308, and the rest are  
10 minor players.

11                   MR. BROOKS: Thanks, Walt. Okay, Mike.

12                   MR. PIERDINOCK: Yeah, thank you. You  
13 know, as I look at these numbers, they seem to  
14 make some sense. Slide 14, as you noted, with the  
15 ice, there's some other things that have some  
16 inconsistencies that I'm not sure why.

17                   But I wonder with that whether it would  
18 be prudent to break out the General category into  
19 hook and line, harpoon, and Charter/Headboat, and  
20 maybe provide more insight. Because if a  
21 harpooner needs a plane and all the other expenses  
22 they need, that's a lot different than the other

1 categories. So that could change substantially  
2 your numbers here depending upon which approach  
3 you do take.

4 So, you know, I was just curious out of  
5 that 1,337 trips whether you had any sense of how  
6 many were Charter/Headboat, how many were harpoon,  
7 or so on. And then maybe if you broke that down  
8 in the future, it could provide more or better  
9 data. Thanks.

10 MR. HUTT: Yeah, we want to look at the  
11 data from a lot of different breakdowns. I want  
12 to compare the Charter/Headboat versus General  
13 category permit holders. I also want to look at,  
14 yeah, how successful, you know, group by them  
15 levels of success because roughly half the vessels  
16 that land and sell these fish every year, the only  
17 land and sell one or two. And then you've got a  
18 handful of guys, maybe about along 100 or so, that  
19 will land as many as 10 or more.

20 So I want to break down the numbers, but  
21 to look at the guys who are really clearly in it  
22 as a big operation versus the guys who are just,

1       you know, the weekend warriors supplementing a  
2       little bit of their cost for the occasional fist.

3               MR. PIERDINOCK: And one other thing to  
4       add to the difficulty, I mean, we're experiencing  
5       the fact that you can go a mile off of Chatham and  
6       catch these monsters. So back in the past you'd  
7       have to go to the Hague Line or George's Bank or  
8       so on. So that's also going to be difference in  
9       numbers with fuel and expenses and so on, which  
10      right now this seems to be taken into  
11      consideration and near-shore, real near- short,  
12      close shore type of fishery with minimal expense.

13              MR. BROOKS: Thanks, Mike. Let's go to  
14      Steve, then Steve, then Marty, and then we'll  
15      shift. Steve.

16              MR. IWICKI: Okay. So none of the  
17      recreational permit holders were counted in this,  
18      right? Okay, how many recreational permit holders  
19      do you think you issue a year?

20              MR. HUTT: I mean, we issue roughly  
21      around 20,000. I mean, this was really focused on  
22      the commercial bluefin tuna fishery, so we include



1 the permits that were authorized to land them  
2 under the General category.

3 MR. IWICKI: Yeah, but here's my  
4 argument. So, say it's a guy like me, runs out to  
5 the canyons probably five times a year at about a  
6 thousand a trip, 5,000. Say there's only 2,000 of  
7 us who do that. That's 10 million without going  
8 beyond fuel, bait, and ice, and all your other  
9 costs are there. So, I mean, yeah, 20,000 don't  
10 do it, but even if you use 2,000, when you add in  
11 insurance, slips, all that stuff, you're beyond 14  
12 million right there, and there's no revenue  
13 associated with it. So it dramatically changes  
14 your outcome.

15 MR. HUTT: So we actually did the last  
16 HMS trip expenditure survey of the angling  
17 category guys in 2016. That report is going to be  
18 coming out in the -- finally finished, coming out  
19 in the fall. And we are currently redoing the  
20 durable goods angling survey, which is including  
21 an HMS portion right now. They're just kind of  
22 wrapping up that data collection in the next

1 couple of weeks.

2 So, I mean, we definitely have collected  
3 -- we've collected a lot more data on the angling  
4 category than we have on this one in the past.

5 MR. IWICKI: Did you send it out to all  
6 the permit holders? Because I didn't get anything  
7 like that.

8 MR. HUTT: We sent it out to a random  
9 sample. We can't send it to everybody.

10 MR. IWICKI: Yeah. I mean, I've never  
11 received -- I get the call every two weeks all  
12 summer about what did you catch, but I've never  
13 gotten anything related to costs, so okay.

14 MR. GETTO: How did you resolve the  
15 price issue in the reporting? I mean, the  
16 fisherman fills out the daily log, but he doesn't  
17 know his return for maybe two or three weeks. How  
18 did you resolve that in the study?

19 MR. HUTT: So to deal with that in the  
20 study we actually didn't require them to report it  
21 if they didn't know it. And we primarily relied  
22 on the dealer data for the revenue because they

1       were required to go in there and update it once  
2       they got it, so we felt that would be the most  
3       complete and accurate data on that.

4               MR. BROOKS: Marty.

5               MR. SCANLON: Yeah, I have a few  
6       questions here. The General category annual  
7       expenditure report form there, is that a mandatory  
8       reporting or is that voluntary?

9               MR. HUTT: I mean, technically, there's  
10       a law that they are mandatory or according to our  
11       regulations that are required, mandatory. This  
12       was a one-year study and as the agency normally  
13       does with logbooks that are new, there's like a  
14       general rollout. So we definitely let people know  
15       about, you know, if they were noncompliant and we  
16       took records of it, but it's not the same level  
17       of, you know, oversight that an ongoing logbook  
18       study would do. But we've got that.

19              MR. SILVA: And one other thing to note  
20       that, unfortunately, the government shutdown  
21       coincided with the annual expenditure form  
22       timeline, though we had a contractor working on

1       it. But kind of a response to questions and, you  
2       know, dealing with follow-up was a little bit  
3       impeded by that.

4                   MR. SCANLON: What is the mandatory --  
5       you know, they've been averaging basically 50  
6       percent noncompliant in their reporting. What's  
7       that rate? Is that number available? And that  
8       number that you just gave us means that they are  
9       69 percent noncompliant with this.

10                   You know, in the Pelagic Longline  
11       category, we don't want to hear about the excuses.  
12       We don't get any excuses. If I have a log book  
13       that I don't have every single check checked  
14       properly, I don't get my permit. My boat's tied  
15       to the dock, so I got no sympathy at 69 percent  
16       noncompliant here.

17                   Twelve million dollar deficit? You  
18       know, there's something going on that's wrong  
19       right there.

20                   The other thing, too, is I see all these  
21       cost analysis here, but did you do a cost analysis  
22       in regards to the retention limit? And how did

1 the retention limit, the daily retention limit,  
2 affect the price throughout the year? I think  
3 that's important to look at, especially since  
4 you're losing \$12 million on this fishery in the  
5 General category is what you just presented to us.

6 So, I mean, I think those are important  
7 issues. You know, we're talking about giving more  
8 quota and I see these public comments there in the  
9 General category about resolving the Purse Seine  
10 category and giving it all to the General  
11 category. They need \$12 million, you know,  
12 they're 69 percent compliant with the rules and  
13 regulations, I mean, how does that particularly  
14 work? What do I tell the people in my industry?  
15 Don't comply? You get rewarded for noncompliance?

16 MR. SILVA: Well, one thing to note that  
17 the trips on average, just the trip expenses  
18 versus trip revenues, is actually positive. The  
19 thing that makes it negative overall are fixed  
20 costs. But many General category participants,  
21 and just like longliners, participate in a wide  
22 range of other fisheries. And we did not -- we're

1 not able to connect all those other fishery  
2 activities to match those revenues in with their  
3 fixed costs for the year.

4           So if they pay a dock fee, that dock fee  
5 is for the year or by the month, they're  
6 participating in lobster, New England groundfish,  
7 and in the General category seasonally. You know,  
8 those costs are spread out over those categories.  
9 So it's actually kind of typical with the  
10 longliners. A lot of their fixed costs actually  
11 -- a lot of them, when you add in their fixed  
12 costs, kind of push them into negative with just  
13 HMS landings. When they participate in other  
14 fisheries, you know, and incorporate some of their  
15 other activities, then they usually break even or  
16 net positive.

17           MR. SCANLON: But we're not in this room  
18 making -- we're not regulating those other  
19 fisheries. I mean, well, whatever you got here,  
20 this doesn't pertain to non-HMS fisheries here  
21 you're talking about here. You know, you're  
22 talking about -- in this particular figure, you've

1 done all this analysis on bluefin tuna  
2 interactions, and the bottom line is the  
3 category's losing \$12 million a year (inaudible,  
4 overtalking) management.

5 MR. BROOKS: I want to let Alan jump in.  
6 I'm going to let Alan jump in.

7 MR. WEISS: Well, just a quick  
8 observation that if you're including fixed costs  
9 on an annual basis, but revenues only for the  
10 portion of the year that they're bluefin fishing,  
11 then maybe it would make more sense to  
12 characterize it as apportioning the fixed costs  
13 with the percentage of the year that they spend  
14 bluefin fishing.

15 MR. BROOKS: Thanks, Alan. All right.  
16 I want to bring the conversation on this survey to  
17 a close at this point and invite folks to follow  
18 up if there are additional points that you want to  
19 talk with Cliff or George about. We've got a  
20 break coming up in about 20 minutes and that'll be  
21 another opportunity to keep pushing at these  
22 questions.

1                   So at this point, I'd like to invite the  
2 Fish and Wildlife Service folks that are here, so  
3 Rosemary Gnam and Mary Cogliano, to come on up and  
4 give us an update on the shortfin mako CITES  
5 listing. And we'll have till 3:30 for this, for  
6 both your presentation and a conversation.

7                   And again, if there's more that people  
8 want to talk about, I invite you to use the break  
9 if Rosemary and Mary can stay.

10                  MS. BREWSTER-GEISZ: So while we get the  
11 Fish and Wildlife Service people set up, I just  
12 wanted to go back to Dave Schalit's question this  
13 morning regarding National Standard 1 briefings.  
14 So we have placed those two previous presentations  
15 on the web page with our current agenda, so you  
16 should be able to find both the presentation that  
17 Sara and I presented along with the presentation  
18 overall on National Standard 1.

19                  SPEAKER: So they are on there?

20                  MS. BREWSTER-GEISZ: Correct.

21                  MS. COGLIANO: Hello. Thank you for  
22 having us here. I'm Mary Cogliano with the U.S.



1 Fish and Wildlife Service, chief of the Permitting  
2 Office for CITES. And this is Rosemary Gnam,  
3 who's the chief of the Division of Scientific  
4 Authority for CITES in the U.S. Fish and Wildlife  
5 Service. And we're here to give you a little  
6 update on the recent conference of the parties and  
7 the outcome of that, one of which is the shortfin  
8 mako listing.

9           So, in addition to giving you the update  
10 on the listing decisions, I'll also go through the  
11 permitting process. Because those who wish to  
12 trade in makos now will need permits,  
13 international trade will need permits; or those  
14 who wish to introduce them from the sea will also  
15 need permits.

16           So just really quickly, I know we don't  
17 have a lot of time, but I want to give you a  
18 really quick review of CITES. The purpose of  
19 CITES is to ensure that international trade in  
20 wild fauna and flora is legal and sustainable.  
21 It's not a ban on trade. It's meant to ensure  
22 that trade is sustainable.

1                   There are 182 member countries, plus the  
2                   EU. And these are referred to as "parties." The  
3                   convention establishes a legal framework together  
4                   with common procedural mechanisms for regulating  
5                   international trade in species with the strictest  
6                   regulation being on those species that are  
7                   threatened with extinction.

8                   So the permitting system is the backbone  
9                   of CITES, and this is how trade is monitored.  
10                  These CITES permits can only be issued if certain  
11                  conditions are met and they must be presented when  
12                  leaving or entering a country.

13                  Very quickly, Appendix 1 is the listing  
14                  in CITES that has the highest regulation because  
15                  those species are threatened with extinction.  
16                  Appendix 2, under which the mako was listed, those  
17                  species are vulnerable to over-exploitation, and  
18                  commercial trade is allowed with a permit.

19                  So just one thing, one point I want to  
20                  make is that at the Conference of the Party, the  
21                  United States is one vote. Any listing decision  
22                  requires a two-thirds majority vote of the

1 parties. And at this Conference of the Parties  
2 there were 150 countries.

3 So these are the species that were  
4 listed. All of these were listed in Appendix 2.  
5 That means commercial trade is authorized with  
6 permits.

7 So as you see, the mako sharks, shortfin  
8 and longfin, but I understand you're most  
9 interested in the shortfin, were listed inside  
10 this Appendix 2. And the United States opposed  
11 this proposal. We voted against it. But because  
12 the majority of the parties, the two-thirds  
13 majority, voted for it, we're required now to  
14 implement this listing. In addition to the makos,  
15 the guitarfish, wedgefish, and sea cucumbers were  
16 listed in CITES.

17 Previously listed, sharks and rays.  
18 This is just a reminder from previous COPs the  
19 thresher sharks and silky sharks, devil rays,  
20 oceanic whitetip shark, scalloped hammerhead,  
21 great hammerhead, smooth hammerhead, porbeagle  
22 shark, and manta rays, whale sharks, great white

1 sharks, and basking sharks are all listed in  
2 CITES.

3 So, like I said, commercial trade is  
4 allowed if it's determined to be not detrimental  
5 to the survival of the species, and assuming it is  
6 legally acquired, those specimens were legally  
7 acquired.

8 So how do I trade in these Appendix 2  
9 species? What do I need to do? Well, you'll need  
10 to apply for a permit from our office. And then  
11 in order for us to issue a permit, we have to find  
12 -- we have to make two findings. My office, the  
13 Division of Management Authority, must find that  
14 the specimens were legally acquired. And then the  
15 Division of Scientific Authority, Rose's office,  
16 has to make a finding that the specimens, that the  
17 export, if it's an export application, that they  
18 were not detrimental to the survival of the  
19 species. And similarly, for introduction from the  
20 sea, that introduction needs a non-detriment  
21 finding.

22 So, as I mentioned, introduction from

1 the sea, as I understand it a lot of specimens  
2 will be entering into the United States from the  
3 high seas and then landed in the United States, so  
4 we're going to talk a little bit about that. Like  
5 I said, the CITES scientific authority also makes  
6 a non-detriment finding on these and these  
7 certificates have to be issued before the  
8 specimens are landed.

9 We have, back at COP-16, when the  
10 hammerheads were listed, we put some guidance up  
11 on our website and it provides a lot of really  
12 good information on introduction from the sea, so  
13 I would, you know, recommend that you look at that  
14 website. We will be updating the website because  
15 right now it talks about hammerheads, pretty much  
16 only hammerheads, and we'll need to update it for  
17 makos. But for now, at least it does provide you  
18 with some good information on introduction from  
19 the sea.

20 So one thing I want to mention is, and  
21 many of you probably already have, you know,  
22 specimens that you've already taken from the wild,

1       so there is a provision under CITES where  
2       specimens that were acquired before the provisions  
3       of the convention applied to it or before the  
4       listing went into effect are considered  
5       pre-convention. Those specimens still need a  
6       CITES document to be exported, but the document --  
7       basically they need to be -- you need  
8       documentation showing that those specimens were  
9       acquired before the listing went into effect. And  
10      a non-detriment finding is not done on those.

11                 And as a reminder, the listings go into  
12      effect in 90 days.

13                 MS. GNAM: It's August 20.

14                 MS. COGLIANO: It's August 20?

15                 MS. GNAM: Well, the parties ended on  
16      August 28th, so it's 90 days from August 28th.

17                 MS. COGLIANO: Ninety days from August  
18      28th, so we don't have that exact date pinned down  
19      right now, but just if you could look at your  
20      calendars and it will be 90 days from August 28th.

21                 So, now I want to give you a little bit  
22      of information on our general permit processing

1 procedures because I'm sure you will be coming in  
2 for permits. Our application process takes at  
3 least 30 to 60 days, depending on the complexity  
4 of the application. And as I mentioned before,  
5 that export permit or that introduction from the  
6 sea certificate must be issued prior to entering  
7 the U.S. port with those specimens.

8 Applications we receive on a first-come,  
9 first-served basis. Unfortunately, we don't have  
10 any mechanism in place to allow for an expedited  
11 review.

12 Submission of an incomplete application  
13 will delay the process, so it's very important to  
14 do the best you can in filling out the  
15 application. And if you need assistance, please  
16 give us a call. We're happy to help you with your  
17 application.

18 And then the other thing is the  
19 processing fee, the fee that's required is a  
20 processing fee, and it doesn't -- it's not like  
21 you're paying for a permit. It's a processing  
22 fee, so just because you turn in an application

1 doesn't mean that if you're denied you're going to  
2 get your money back. It's, unfortunately, some  
3 applications are denied. Not many, but a very  
4 small proportion of them are because the  
5 documentation's not in place or the findings can't  
6 be made.

7           So you can find our application forms on  
8 [www.fws.gov/international](http://www.fws.gov/international) and there is a button  
9 there. You can just click on the "Permits"  
10 button. And then there's another button that says  
11 "Applications by Form," and you click on that and  
12 you go down the list of applications. And you'll  
13 see that if you need an export permit, it's Permit  
14 Number 3-200-27. If you need an introduction from  
15 the sea certificate, it's 3-200-31. And a  
16 pre-convention certificate for those specimens  
17 that you may already have is 3-200-23.

18           So when you do get there and pull up  
19 that application what will you need to provide,  
20 what documents, to support that application?  
21 Well, it really is depending on which application  
22 you're filling in. But generally, you'll need



1 copies of your permits, any permits that you were  
2 required to have in order to obtain those  
3 specimens; licenses and other documents  
4 authorizing removal of the specimen from the wild.  
5 If you're obtaining -- if you're a dealer and  
6 you're obtaining specimens from a fisher, then a  
7 copy of that invoice showing that transfer of the  
8 specimens legally will be required.

9 I'm going to go through a little  
10 example. When the hammerhead listings did go into  
11 effect, we put out a guidance to give people a  
12 better idea of the types of information they would  
13 need to provide to obtain an expert permit. So  
14 I'm just going to go through.

15 For hammerheads we determined that for  
16 sharks taken in U.S. Atlantic waters we needed the  
17 Atlantic highly migratory species, shark dealers  
18 needed to provide the NOAA International Fisheries  
19 Trade Permit for shark fins; the dealer, Federal  
20 Dealer Shark Permit and printouts of federal  
21 dealer reports and trip tickets. We need a  
22 recording of shark fins by species and they need

1 -- they should not be lumped in with the  
2 unclassified shark fins because we need to know  
3 that the specimens that we're permitting are the  
4 specimens that are actually going to be exported.

5           And then from the exporter we needed an  
6 itemized invoice indicating the original dealer  
7 and dealer report number; where each product was  
8 originally reported by the HMS shark dealer for  
9 species harvested in the Atlantic; and we needed  
10 this information listed by species with an  
11 associated weight in pounds. We need a copy of  
12 the state license and receipts or invoices  
13 documenting the sale of those specimens.

14           So, again, that was for hammerheads.  
15 And we're going to be working to implement the  
16 mako shark listing. And we're hoping to put out  
17 similar guidance that will be more specific to the  
18 shark, the mako sharks.

19           So after you submit your application,  
20 you will receive an acknowledgement letter  
21 indicating that your application's been received.  
22 If you don't receive that acknowledgement letter,

1 please call our office because we want to make  
2 sure that your application has been received by  
3 us.

4 The U.S. Fish and Wildlife Service  
5 reviews your application and we consult with NOAA  
6 NMFS because NOAA is our technical experts and  
7 have many of the records that we need. If we need  
8 additional information from you, we'll contact  
9 you.

10 At that point, once we have the  
11 information and we do the analysis, the permit is  
12 either issued or denied. Most of them that are  
13 issued. If denied, there is a reconsideration  
14 process in our regulations, so you can -- if your  
15 application is denied, you can come back and apply  
16 for reconsideration and we'll -- that will be  
17 elevated to a higher level.

18 Okay, then we mail the permit once it's  
19 issued. After you receive your permit you need to  
20 look at it and make sure it's correct. We do  
21 sometimes make mistakes, so it is important to  
22 look to make sure it's correct.

1                   And another very, very important thing  
2                   is that all exports of CITES listed sharks and  
3                   shark products must be through a U.S. Fish and  
4                   Wildlife Service designated port and specimens  
5                   introduced from the sea and landed in the United  
6                   States must also land in a U.S. Fish and Wildlife  
7                   Service designated port.

8                   Okay, so, in addition, you will need --  
9                   if you are a commercial -- if you're exporting or  
10                  trading in these specimens commercially, you'll  
11                  need a commercial export license. And you can  
12                  obtain these from the U.S. Fish and Wildlife  
13                  Service Office of Law Enforcement.

14                  So here's some useful links. We're here  
15                  --

16                  MR. BROOKS: I'm assuming we'll post  
17                  this up on the web, obviously.

18                  MS. COGLIANO: Sure, certainly. We're  
19                  here to answer any questions you might have.

20                  MR. BROOKS: So thanks very much.

21                  MS. COGLIANO: Sure.

22                  MR. BROOKS: That was very helpful. My

1 thinking is that we probably spend about 10  
2 minutes on this and we'll go into a little bit of  
3 overtime because I know there's a few questions.  
4 We'll start with you, Rick.

5 MR. WEBER: Thank you. Rick Weber. I  
6 know you've done CITES 101 for us a number of  
7 times, but I still have to ask a 101 level  
8 question. Are you talking about only for export  
9 or for every mako landed from ocean? Because you  
10 keep saying a mako arriving from the sea.

11 MS. GNAM: If you intend to export that  
12 mako at any point in time.

13 MR. WEBER: Okay, I'm out.

14 MS. GNAM: Okay. If you intend to  
15 export any product of that mako, then you do need  
16 that certificate for intro of the sea or when you  
17 exported that permit.

18 MR. WEBER: You answered that question  
19 correctly.

20 MS. GNAM: But if you are selling it  
21 domestically, we, Fish and Wildlife, CITES has no  
22 nexus to that. It's purpose is to regulate

1 international trade.

2 MR. BROOKS: Good. Bob?

3 MR. HUETER: Thanks. Thanks for the  
4 presentation. Bob Hueter, Mote Marine Lab.  
5 Without getting too deep into it, can you  
6 summarize for us the justification that the basis  
7 for which the U.S. voted against the mako listing?  
8 And also clarify for me, or maybe others have  
9 heard various things about Canada, that Canada was  
10 going to vote against it and then they changed  
11 their vote to voting for it. Can you answer those  
12 two questions, please?

13 MS. GNAM: Yeah, because that falls  
14 under my authority. Essentially, the U.S.  
15 Position going into the CITES Conference, we post  
16 those in our Federal Register. It is up on our  
17 website. It is still up on our website. We  
18 opposed the listing, the inclusion of mako in  
19 Appendix 2 of CITES because there are CITES  
20 criteria that need to be met. And we also looked  
21 at the FAO panel of experts that reviews mako,  
22 reviewed the mako proposal.

1                   And we found for the North Atlantic that  
2                   populations there did not meet the CITES criteria  
3                   and, therefore, in consultation with NOAA and our  
4                   leadership who made the final decision, our  
5                   position was opposed. And we went into that  
6                   conference with that position. We held to that  
7                   position and we voted no.

8                   As to Canada, you'll have to ask Canada  
9                   how they voted. The U.S. announces how it votes  
10                  because this was -- all the marine proposals were  
11                  done by a secret ballot. That option is available  
12                  in CITES and a number of -- it only takes 10  
13                  parties to approve a secret ballot, and they had  
14                  those 10 parties. And so I know the U.S., for the  
15                  record, announced its vote of no. Canada, yeah,  
16                  I've heard those rumors, too. I can't confirm it  
17                  because, as I said, we did not see a vote tally.  
18                  So I know initially in discussions in consultation  
19                  with Canada they were following the same type of  
20                  science as we were and looking at CITES.

21                  But, again, decisions are made, so.

22                  MR. HUETER: Thank you.

1                   MS. GNAM: And the vote, just so  
2                   everybody knows, it was a secret ballot, but, as  
3                   Mary said, it's a two-thirds majority. The vote  
4                   was 102 yes and 40 nos and 5 abstentions that  
5                   don't count. So it was really 142 parties voting.

6                   MR. BROOKS: So fairly narrowly passed.

7                   MS. GNAM: Seventy percent they had.  
8                   They needed 66 percent, they had 70 percent.

9                   MR. BROOKS: Right. Okay, Dewey.

10                  MR. HEMILRIGHT: Wow, it's amazing how  
11                  we learn such secrecy in our ballots, just 10. I  
12                  was curious if Oregon Inlet, North Carolina, or  
13                  the Port of Wanchese is a U.S. Fish and Wildlife  
14                  Service landing port.

15                  MS. GNAM: I'd have to go look at the  
16                  Federal Register with them, but I don't believe  
17                  so. Most of our Wildlife ports are major cities  
18                  where export happens, so I don't know what the  
19                  closest one. I know Atlanta is a port, a  
20                  designated Wildlife port. So this is something  
21                  that we will have to start to discuss.

22                  And in terms of secrecy on the ballots,



1 the U.S. Tried very hard to change that you would  
2 need at least a one-third majority for secret  
3 ballots, but we were totally beaten down on that  
4 one at the last COP, so we didn't raise it again.

5 MR. HEMILRIGHT: Yeah, I appreciate you  
6 all opposing the listing on CITES for shortfin  
7 mako. It'd just be interesting to see the other  
8 countries that did that, also, that might be at  
9 ICCAT who don't even report mako sharks.

10 And I was just curious, so it's my  
11 understanding that if I'm in the ocean and I want  
12 to bring a mako shark in to export somewhere, I  
13 got to come into one of your -- of the ports. And  
14 you mentioned Atlanta. I don't know of any  
15 waterways in Atlanta. But I'm just -- so is that  
16 the avenue? You come from the EEZ and you got to  
17 go to one of these other major ports to -- if I  
18 want to export a mako shark. Is that correct?

19 MS. COGLIANO: It's outside of U.S.  
20 Waters. It's only if it's outside of U.S. waters.

21 MS. GNAM: It's high seas.

22 MS. COGLIANO: High seas outside of the

1 EEZ. And you are bringing that in and then you  
2 need to land it at a U.S. port and you need an  
3 introduction from the sea permit. If you're  
4 harvesting in U.S. waters or state waters, then,  
5 no, you don't need a permit to land those  
6 specimens.

7 MR. BROOKS: Thanks. David, you get the  
8 last word here.

9 MR. SCHALIT: Getting back to the COP,  
10 would you be in a position to share any secrets in  
11 connection with how the European Union voted? And  
12 the other question I have is, maybe I'm missing  
13 something here, the shortfin mako listing was  
14 elevated from Appendix 2 to Appendix 1 or it  
15 received an Appendix 2 listing? Okay. All right,  
16 thank you.

17 MS. GNAM: But to answer your question  
18 on the European Union, if you look at when the  
19 mako shark proposal was proposed in January, it  
20 had 55 co-sponsors. On that co-sponsor list was  
21 the European Union, which carries 28 votes in  
22 CITES. I assume as a co-sponsor they voted yes

1 for the proposal. They definitely in their  
2 intervention expressed extreme support for the  
3 proposal.

4           You know, there's a debate on these  
5 proposals and you hear from both sides. And the  
6 European Union expressed support. But, as I said,  
7 it's a secret ballot, so that you don't know  
8 unless you ask the country. The United States was  
9 one of the few countries that records its vote in  
10 a secret ballot. We really understand and  
11 probably in the spirit of transparency have never  
12 asked for a secret ballot nor would we support  
13 one. But I assume that's how the EU voted and  
14 they carry 28 votes.

15           MR. BROOKS: Thanks. Karyl, you had a  
16 question.

17           MS. BREWSTER-GEISZ: Yes, thank you. I  
18 had a question, we've talked about what the  
19 commercial fishermen and the commercial dealers  
20 need to do. I'm just wondering what about  
21 researchers who want to share fin parts or  
22 whatever?

1                   MS. COGLIANO: Yes, they also need  
2 permits. All permits -- permits are needed no  
3 matter who's doing the trade. Yeah.

4                   MS. GNAM: Also, I wanted to mention  
5 that I do have -- I did bring some handouts.  
6 These are on our web page, but I thought I'd be  
7 helpful to print some out for you. It's more  
8 information on intro from the sea and when an  
9 intro from the sea certificate is required, so  
10 I'll just leave these here for whoever would like.

11                   MS. COGLIANO: And I may add on the  
12 intro of the sea, when CITES defines that as the  
13 high seas, that's not in a country's EEZ, so --  
14 but basically, our understanding from the proposal  
15 is there are several nations who fish for mako  
16 sharks in the Pacific Ocean, in particular, that  
17 take them on the high seas, what is known as the  
18 high seas. So I don't know if that's -- we'd be  
19 interested to know if that happens in the U.S., if  
20 anybody is fishing on the high seas because this  
21 is only applicable to high seas.

22                   MR. BROOKS: Thank you. Thank you both

1 for coming. Obviously, this is timely and  
2 important and we appreciate you coming here.

3 So let's go to a break. We're a couple  
4 of minutes late, but not bad, but we will  
5 reconvene on time at 3:45. Thanks.

6 (Recess)

7 (Recess)

8 MR. BROOKS: All right if our folks  
9 could come back to the table please, we need to  
10 get going again. And operator, if you would  
11 please take folks off the mute button that'd be  
12 helpful. And if I take that off mute, you'll hear  
13 me. Operator, if you'd be able to take webinar  
14 participants and remove them from mute so they can  
15 speak please, thanks. All right again, AP members  
16 who are still standing up, if you'd find your seat  
17 at the table please.

18 So, before we dive into the conversation  
19 on the Rec roundtable, I unfortunately neglected  
20 to open up the last conversation after the CITES  
21 discussion to webinar participants. I know at  
22 least one person, Rusty, you wanted to weigh in.

1 The Fish and Wildlife Service folks are not here  
2 anymore but at least if you have a comment or  
3 something that we could pass on or track down for  
4 you that'd be helpful. So, Rusty and, of course,  
5 anyone else who has a question please weigh in.  
6 Rusty.

7 MR. HUDSON: Can you hear me fine now?

8 MR. BROOKS: Perfectly, thanks Rusty and  
9 apologies.

10 MR. HUDSON: Well, I've been going  
11 through this with 2013 dealing with the hammers  
12 and everything else on CITES. The big deal is is  
13 that went to electronic reporting for our shark  
14 dealers. And even when I was a shark fin dealer  
15 and buying directly from, you know, boats and  
16 stuff like that up and until September of '97, I  
17 wound up having to just total all my shark fins  
18 together and that's what people got in the habit  
19 of doing.

20 When the electronic reporting started,  
21 they did not wind up mandating that the set of  
22 fins that came off an individual shark, let's say

1 a shortfin mako and then you had to wind up being  
2 able to track that all the way through. But  
3 normally, our shark fin buyers are second  
4 receivers so they don't have to fall into that  
5 category. So, there's a gray area there as to  
6 tracking that's been really cumbersome for us for  
7 several years now.

8 Last thing is the longfin mako is a  
9 prohibited species since 1999. And it is every  
10 once in a while, I saw a show up in the Gulf of  
11 Mexico landings and I don't understand it. But  
12 the point is, is that these are all kinds of  
13 things that need to be considered. I'm glad the  
14 U.S. did not embrace this feel good measure. But  
15 I think it's a little excessive on the part of the  
16 U.S. to have to, you know, deal with (inaudible)  
17 but that means that we just report. So, somehow  
18 between the international trade permit or whatever  
19 it's been replaced by and/or MPS with regards to  
20 the HMS shark dealers that are in open access  
21 versus limited access for our permitted fishermen,  
22 we need to clean this up. So, that's my comment,

1 no questions. Thank you.

2 MR. BROOKS: Thanks very much, Rusty.  
3 Anybody else on the webinar AP members want to  
4 weigh in on this? And Jackie, it looks like  
5 Jackie wants to say something.

6 MS. WILSON: I just want to clarify on  
7 the shark fins. The dealers are allowed to report  
8 them species specific and they can also report  
9 unclassified shark fins. It's the only thing they  
10 can report as an unclassified because the dealers  
11 do tend to lump them together. But there is a way  
12 they can report by species those shark fins. So,  
13 they can be track so that is something that we  
14 already have a solution in place.

15 MR. BROOKS: Did you hear that, Rusty?

16 MR. HUDSON: Yeah, I did.

17 MR. BROOKS: Thanks, Jackie. Okay, if  
18 nothing else then and Bob, thank you for letting  
19 me know that. So, in past meetings, we've sort of  
20 carved out a time to just kind of pick up a topic  
21 and it gives the Agency a chance to sort of raise  
22 issues, concerns, that have been sort of coming



1 across their desk. It gives you all a chance to  
2 raise issues that you've been thinking about and  
3 then we just kind of open it up and have a  
4 conversation. And by the end of it, I think it  
5 gives the Agency a good sense of maybe some future  
6 directions or issues they may want to take up as  
7 they move forward.

8                   So, we're going to do that this  
9 afternoon with a focus on HMS Recreational  
10 Roundtable discussion. So, in a minute, I'll hand  
11 it off to Brad and the team to my left to sort of  
12 walk through the issues that they are hearing  
13 about and that have come up over, I don't know,  
14 the last numbers of months or years, whatever that  
15 is. And kind of reflect back things that they  
16 think would be good to have a conversation on and  
17 hear your thoughts on.

18                   But by no means is that list intended to  
19 constrain the conversation so we will also want to  
20 ask you and are there other things that we should  
21 be talking about. So, and then we'll just open it  
22 and we'll sort of take them issue by issue so we

1 can have a somewhat focused conversation. So,  
2 with that Brad, I think I'll let you just swing us  
3 through.

4 MR. MCHALE: Great, thank you for that,  
5 Bennett. So, for those of you around the room  
6 that may be involved in council managed species,  
7 this roundtable format may be somewhat familiar.  
8 Something that was kind of initiated a number of  
9 years back.

10 If you all recall, Russ Dunn as well as  
11 Tim Sartwell who is joining us in the back of the  
12 room have really kind of taken on the challenge of  
13 trying to institutionalize the management of our  
14 U.S. recreational fisheries. You know, not just  
15 in the HMS context but across the councils.

16 And I think one thing that we've also  
17 acknowledged over the years. As given the  
18 construct of the HMS fisheries and the advisory  
19 panel that that already is inherently in our  
20 nature that we're talking about the recreational  
21 aspects of these fisheries just as much as we are  
22 in the commercial.

1                   So, at a national level, what is taking  
2 place in all those regions including in the HMS  
3 are these roundtables as Bennett had just  
4 mentioned. Essentially, it's to provide us all a  
5 collective opportunity to kind of discuss either  
6 issues that we're hearing about in the  
7 recreational context or issues that we need to  
8 hear about in that context. The depredation is  
9 one that kind of fits this bill that we've already  
10 touched on.

11                   So, I'll run through this and again, I'd  
12 like to go through the entire presentation,  
13 obviously correct me if I make any errors, Cliff,  
14 Jenn, Randy. I'm sure there will be plenty. At  
15 that point, we'll kind of really turn the  
16 microphones over to have more a dialogue context.

17                   So, I think I'm already ahead of the  
18 game. I just touched on most of these goals.  
19 It's again, to maintain that dialogue and exchange  
20 what's on your mind to share back with you what  
21 we're hearing just to make sure that we're not  
22 miscouching any of that and then ultimately see

1       where these thoughts, ideas or suggestions could  
2       evolve to.

3                 So, first and foremost, looking at one  
4       of our data collection programs for our  
5       recreational fisheries, the Large Pelagic Survey.  
6       I think you all are well aware at this point of  
7       some of the redesign efforts that are taking place  
8       as a result of the recommendations from the  
9       national academies. A number of these  
10      recommendations are already rolling out in the  
11      MRIP process for other council species.

12                What is now taking place is looking at  
13      the Large Pelagic Survey itself trying to assess  
14      where there are areas for improvement. Either to  
15      reduce or eliminate areas where biases could be  
16      introduced. Prime example are for in our context,  
17      are tournaments over sampled or how to handle  
18      offering non-HMS trips, for example, if vessels  
19      are say going after black fin or little tunny and  
20      how do they kind of factor into our survey.

21                And then ultimately, trying to work  
22      through those kinds of findings and discoveries

1       into different design concepts. And trying to  
2       figure out how ultimately, this particular survey  
3       would need to evolve with a potential plan to test  
4       some of this in two states. I believe  
5       Massachusetts and North Carolina. But well draw  
6       straws to figure out who becomes the guinea pigs  
7       in 2020.

8                       Staying on the theme of reporting, I  
9       know that the HMS management division has spent  
10      considerable time and effort in trying to  
11      collaborate with either pre-existing reporting  
12      requirements as well as evolving to those that are  
13      already in the electronic arena versus paper  
14      based.

15                      And so, to fit that bill for our for  
16      hire fishery, we've looked or continue to look  
17      towards the implementation of pre-existing,  
18      whether it be the South Atlantic or the Gulf of  
19      Mexico management council reporting requirements  
20      and trying to stay step in step. Knowing that a  
21      lot of our customers are one in the same and that  
22      applies up to the Northeast as well.

1                   And as part of just the vehicles or the  
2                   tools that are collecting those reports whether  
3                   it's an app or a tablet, what have you. It's also  
4                   making sure that the proper authorities are in  
5                   place, you know, to deal with the bureaucratic we  
6                   world of do our regulations say that we have the  
7                   authority to collect information through  
8                   electronic means. And that, like I mentioned in  
9                   one of the previous discussions, requires  
10                  rulemaking. And so, that's also under  
11                  consideration within specifically the HMS context  
12                  even though we may be able to piggy back on  
13                  pre-existing systems to reduce redundancy.

14                  And reducing that redundancy is one of  
15                  our key objectives. It's not lost on anybody in  
16                  the HMS management division that a lot of our  
17                  constituents, whether they be for hire or  
18                  commercial and recreational for that matter, are  
19                  overlapping with council mandates. And it's not  
20                  lost on us that having to report one trip through  
21                  three or four different means just makes  
22                  absolutely no sense in this day in age.

1                   And so, we'll be continuing to  
2 collaborate with our partners, whether it be the  
3 ACCSP and trying to piggy back to make sure  
4 whatever the development process is that they're  
5 aware of what the HMS requirements are. Hopefully  
6 that at some point in the not too distant future  
7 it will be up to the captain to select what tool  
8 they want to report. But at that point, the  
9 information will be getting to the proper folks  
10 inside the Agency.

11                   Regarding HMS tournaments. If you all  
12 recall that we actually expanded the reporting  
13 selection to include all tournaments this year  
14 actually. And so, it was no longer just a  
15 billfish centric. We are collecting information  
16 on all shark tournaments, tuna tournaments as well  
17 as those billfish tournaments to get a more  
18 comprehensive assessment of what's transpiring.  
19 And that ultimately reflects back on the some of  
20 the work that George and Cliff had just mentioned  
21 were some of the economic drivers just to make  
22 sure that we're properly assessing those events.

1                   And in addition to those efforts, some  
2                   of the staff actually made it a point to actually  
3                   get out and physically attend some of the  
4                   tournaments that were taking place up and down the  
5                   coast. I had the opportunity of joining the folks  
6                   up in South Portland, Maine to be part of their  
7                   captains meeting at the Casco Bay Bluefin Bonanza.  
8                   We also attended the White Marlin Open.  
9                   Obviously, I think that's a rather significant,  
10                  you know, very diverse tournaments right there in  
11                  and of itself. One was essentially commercial  
12                  fisherman, one not so much. The Pirates Cove  
13                  Billfish tournament in North Carolina and then the  
14                  International Billfish in Puerto Rico.

15                  And so, being there, being able to be  
16                  accessible to captains if they had, you know,  
17                  questions, concerns that even transcended just the  
18                  tournament operation itself. Whether it be rules  
19                  or regulations or where the Agency may be going.  
20                  We found that it was a worthwhile endeavor to be  
21                  there where folks may not have the same access to  
22                  us that you all have twice a year, good, bad or



1 ugly.

2                   And we continue to collaborate with the  
3 Office of Law Enforcement, you know, continuing to  
4 work and point out areas where we provide  
5 compliance assistance. I don't know if this will  
6 be an aspect of tomorrow's presentation by OLE.

7                   But where we made the registration  
8 online, we've received positive feedback that that  
9 minimizes a lot of the burdens on those tournament  
10 organizers. But yet, we still come across some  
11 relatively high profile tournaments that even  
12 though we've documented conversations of literally  
13 looking them in the eye and saying, just as a  
14 reminder, you have to register this tournament,  
15 they aren't doing so. And trying to break down  
16 those barriers of what is that impediment.

17                   Is it getting lost in the shuffle of  
18 just the logistics of running these organizations  
19 and getting sponsors and that's not lost on us.  
20 But it's also a little frustrating when you've had  
21 that conversation, shaken their hand they've said  
22 they've understood and yet all of the sudden it

1 still doesn't happen. Because is that is when we  
2 do need to ultimately refer things to enforcement  
3 which is not our preferred course of action unless  
4 warranted.

5           One big challenge here. Improving  
6 communication of the regulations, especially to a  
7 broad user group that is our recreational  
8 community. Thankfully, we have some expertise  
9 that's rarely available to the HMS management  
10 division, sitting behind me to my right, that will  
11 help us try to translate a lot of our rules and  
12 regulations into more layman's terms. How to  
13 really boil it down to the nuggets that those  
14 individuals that are in the recreational fishery  
15 need to know.

16           Obviously, we have obligations to meet  
17 our legal requirements and hence, there are  
18 federal registers. Hence, why we do notices and  
19 rulemakings. But there also needs to be a middle  
20 ground of how do you instill very complex  
21 regulations into succinct soundbites that then can  
22 then resonate with those folks that are held to

1       comply with those. And so, that's an on working  
2       or shall I say, never evolving endeavor where  
3       we're working on websites that ultimately can meet  
4       that need as well as collaborating with  
5       pre-existing applications.

6                 FishRule app seems to have a lot of  
7       traction these days that a lot of folks are going  
8       to. But making sure that the HMS rules and  
9       regulations as they evolve are being reflected in  
10      those applications. So, we don't have fisherman  
11      getting jammed up where all the sudden they're  
12      under one impression of what the rules are but the  
13      information they're getting may not be fully up to  
14      date. As well as working on, you know, outreach  
15      plan to coordinate all of our various outreach  
16      efforts. Again, know that Agency resources are  
17      what they are, how do we get the biggest bang for  
18      our time and effort.

19                Extending onto some just more specific  
20      species specific information. So, for Atlantic  
21      tuna issues, again, some of these, I think, we've  
22      already touched on of concerns as they pertain to

1 bluefin tuna is access to trophy fish. One item  
2 that we hear almost annually at this point are  
3 concerns regarding post release mortality. Either  
4 when we have a trophy fishery closure or even when  
5 our commercial bluefin tuna hand gear fisheries  
6 close. We still see a large amount of effort in  
7 that catch and release fishery. And then  
8 ultimately, how do you then mitigate any  
9 post-release mortality that may be associated with  
10 those fishing operations knowing there could be a  
11 wide diversity in the gears that are being used to  
12 target different size classes of fish. And then  
13 the implications of that.

14           As well as some items that we're hearing  
15 in regards to the operations of our for-hire  
16 fleet, the Charter/Headboat category permit and  
17 sales of fish. I think we've heard even at this  
18 spring, some concerns that it's not necessarily as  
19 prevalent in other for-hire fisheries that  
20 captains are allowed to sell their catch from  
21 those trips where there are paying passengers on  
22 board. We've kind of spoken to some of the

1 uniqueness within the HMS context but that's an  
2 issue that we continue to hear about of how do we  
3 manage the unique circumstances that apply to some  
4 of these fisheries. And then ultimately, how do  
5 we evolve if it's warranted.

6 We touched on this morning, some of the  
7 depredation concerns whether it be sharks, whether  
8 it be pilot whales or seals in that case. And  
9 that's something that, I think, will be an ever  
10 evolving dialogue. And then as we look to some of  
11 the larger scale items and looking at stock  
12 assessments, currently we do not have a  
13 recreational retention limit for bigeye tuna. Is  
14 that something we want to start to entertain and  
15 then engage in that dialogue to really vet  
16 pros/cons of not only just our domestic context  
17 but then ultimately what that means in the  
18 international arena.

19 When it comes to billfish, I think we're  
20 all aware that we have a 250 limit on Marlin.  
21 This table here as you kind of look across the  
22 last number of years whether it be Blue Marlin,

1 White Marlin or the Roundscale Spear fish. That  
2 we're starting to see some trends in upwards  
3 utilization of 250 limit. And then just wanting  
4 to be eyes wide open as far as what that may mean.

5           Ultimately, as it plays out, if we hit  
6 the limit it turns into a catch and release  
7 fishery. Our acknowledging that culturally,  
8 that's already very prevalent for these species to  
9 be caught and released. But just needing to have  
10 full transparency as we're collecting these  
11 reports whether they be tournament centric or  
12 non-tournament centric.

13           Just having the dialogue that this train  
14 could be on the tracks or we're having the  
15 conversation of mandating catch and release where  
16 already that's self-imposed and culturally  
17 embedded into the fishery. So, needing to make  
18 sure that that is on our thoughts again, how we  
19 manage here domestically but also as that ripples  
20 into some of our ICCAT advisory community context  
21 as well.

22           And then, I guess stemming from

1       conversations of what management measures might we  
2       want to entertain. For example, do we explore  
3       slowing down actually landing rates not catch  
4       rates by adjusting minimum sizes and, you know,  
5       executing some of that authority that pre-exists.  
6       Or are there authorities that the Agency should  
7       look at intending on proposing that may not  
8       currently be on the books. And, I think, I've  
9       already kind of touched on some of these others.

10                You know, there are carry over and  
11       under, carry forward and under, carry under  
12       harvest revisions, I guess. But currently, we  
13       haven't had to bump up against those thresholds or  
14       haven't had a dramatic need for them. But again,  
15       that's something that may be evolving over time.  
16       And then ultimately, doing what we do is  
17       exercising our regulatory authority and then  
18       exploring with obviously your input and members of  
19       the regulated community's input, what that  
20       evolution could and should look like.

21                And just as Bennett had mentioned, these  
22       are kind of just some of the major themes that

1 we've heard on. This is not intended to be fully  
2 inclusive of every nuance. But what we really  
3 want to do is capitalize on our time now again, is  
4 to have more of the dialogue. A, to make sure if  
5 there are new issues that we're hearing about them  
6 or if we've misheard or miscouched something that  
7 we get that corrected. But really more engage of  
8 the dialogue aspect versus, you know, us here at  
9 the top of the table then, you know, preaching and  
10 talking to you all. Because there's plenty enough  
11 of that in the meeting and I think with that,  
12 share us your thoughts. Thank you.

13 MR. BLANKINSHIP: Yeah, so I'll just  
14 jump in and clarify just a little bit. On the  
15 previous slide, actually not the previous to that  
16 one but the one about the billfish 250 regulatory  
17 authorities. So, this slide just to give you a  
18 little bit more information, was intended to show  
19 you what we currently have available to us in the  
20 way of tools to manage Marlin landings in  
21 consideration of the Marlin 250 limit.

22 And so, as we look at that trend that



1 has happened over the last several years where we  
2 are catching more fish, more Marlin and Roundscale  
3 spear fish, that this is just to let you know and  
4 put on your radar screen what we have available to  
5 us currently. And we're not in the situation  
6 where we have to exercise these rights this second  
7 but we just wanted to make sure that you're aware  
8 that we do have tools available to us and that  
9 include these things right here. Thanks.

10 MR. BROOKS: Thanks. So, the first  
11 thing I want to do is just in a minute, I'm going  
12 to ask Brad to go back up to the top of the list  
13 of issues and we'll take them one by one. But I  
14 want to just first see from the AP are there other  
15 issues that you would like us to try to set some  
16 time aside this afternoon to talk about. So, are  
17 there other issues to throw into the mix?  
18 Anybody? David, you have one you want to throw  
19 into the mix?

20 MR. SCHALIT: Yes.

21 MR. BROOKS: What would that be?

22 MR. SCHALIT: More discussion in

1 connection with outreach regarding regulations.

2 MR. BROOKS: That certainly comes up  
3 pretty much every meeting. Any other issues folks  
4 want to talk about? Steve?

5 MR. IWICKI: Yes, I'd kind of like to  
6 circle back on recreational reporting and the app  
7 and see how that's going. And then what have you  
8 guys done related to implementation of the  
9 national rec policy that was put out a few years  
10 ago and how you feel that's going would be another  
11 good topic.

12 MR. BROOKS: Anybody, yeah please,  
13 Raymond and then Greg.

14 MR. KANE: Yeah, can we get an update on  
15 the position of HMS and Coast Guard in  
16 relationship to safety decals? I mean, we've  
17 spoken about it at a number of meetings and in  
18 know there's been an issue with cross referencing  
19 HMS webpages with the Coast Guard. But I'd like  
20 to hear an update because according to the  
21 fishermen, it's still ongoing. And I know Dewey,  
22 a couple of meetings ago asked that the permit

1 application if you want a general category permit,  
2 you put your decal number on it. I'd like to be  
3 updated on that, please.

4 MR. BROOKS: And Greg, I saw your card.

5 MR. SKOMAL: Yeah, an issue that seems  
6 to be surfacing quite a bit in the states is  
7 fishermen, recreational fisherman targeting  
8 prohibiting species. So, I'd like to maybe get  
9 some clarification on that, targeting prohibited  
10 species in federal waters and see how we can  
11 translate that perhaps to state waters.

12 MR. BROOKS: And sorry, the update would  
13 be sort of how that's managed or what's our  
14 understanding of the extent to which that's going  
15 on.

16 MR. SKOMAL: Yeah and technically can  
17 recreational fishermen target prohibited species  
18 in federal waters. Is it explicitly referenced in  
19 any way that they cannot? Because in states, each  
20 state is handling it a little bit differently and  
21 I don't think there's consistency.

22 MR. BROOKS: Thanks, Greg. Any other

1 issues folks want to throw into the mix? Okay so  
2 we've got, I think, the Agency put six to start  
3 and I think I've heard five more so we've got  
4 about 11 issues. We'll push through them as best  
5 as we can. We've got about 75, 80 minutes and  
6 again, if we want to go longer after 6 o'clock, we  
7 can certainly do that.

8 Let me just do a quick check. How many  
9 members of the public who are here might want to  
10 make comments? One, two, three, okay. Okay  
11 great, we'll go to that at 5:30 for sure but I  
12 think we'll maybe be able to come back at like say  
13 quarter of or so if we have more.

14 All right, so I'd say let's swing back  
15 to the top of it and just sort of take it one by  
16 one and see what kind of comments, thoughts you  
17 have for the Agency. So, the first is on the  
18 Large Pelagic Survey redesign. And are all the  
19 cards up for that one? Put your card down if  
20 you're not. Okay so let's just work our way down.  
21 Mike and Rick and Rick.

22 MR. PIERDINOCK: I'm just kind of

1 surprised you're coming to the conclusion that the  
2 tournament oversampling and there's a bias  
3 associated with tournament oversampling. We  
4 continue to hear that there's lack of recreational  
5 data. We know there is lack of such and  
6 tournaments provide a mechanism in order to get  
7 some data associated with what we target and what  
8 we land and provide the science behind it.

9 So, I'm disappointed to see your coming  
10 to that conclusion where what's the alternative.  
11 Your department and NOAA and so on, isn't coming  
12 up with funding to do the research you need in  
13 order to help these things. So, to state that and  
14 then want to not use that as a mechanism to  
15 continue to get good data, I'm just surprised to  
16 see that's a conclusion.

17 MR. BROOKS: So, just to say that a  
18 different way. Maybe there are some bias in there  
19 but it's getting us good data and we need that.

20 MR. PIERDINOCK: Yes.

21 MR. HUTT: So, one thing I'd like to add  
22 is we didn't include that to say tournaments are

1       creating bias. It's one thing they're looking at.  
2       Are there potential sources of bias associated  
3       with oversampling tournaments? The whole point of  
4       the LPS is to get effort and catch estimates. And  
5       the concern is if we're not properly weighing the  
6       data and we're treating that just like another  
7       regular day of fishing.

8                       We might over estimate total effort  
9       within a region for a given month or total catch  
10      just because so many more people are out there at  
11      that dock associated with a tournament. So, they  
12      just want to make sure they're doing the sampling  
13      as statistically a valid a way as possible to get  
14      the most accurate estimates possible.

15                      MR. BROOKS: And sorry, just to be  
16      clear, is the concept of moving forward with a  
17      novel design, that's something that is going to  
18      happen and there will be pilots or is that  
19      something you're seeking feedback on from folks  
20      around the table as to whether that is something  
21      to pursue?

22                      MR. HUTT: That is something that is

1 actively moving forward. We have a contractor who  
2 is looking at this novel design basically for  
3 background. One of the big things that was noted  
4 in the National Academy's assessment of all the  
5 MRIP surveys was one of the biggest problems with  
6 the Intercept surveys was they didn't use strict  
7 probabilistic sampling of interview sites.

8           The interviewers had flexibility to go  
9 from one access sight to another just to make  
10 their quota of how many interviews they wanted to  
11 get to maximize them. Whereas in strict  
12 probabilistic sampling, you would say you are  
13 going to be at this site for this period of time  
14 on this day. So, we know exactly what the  
15 probability was that site was sampled.

16           And so, they kind of took that  
17 flexibility out of the APHAIS survey. And we  
18 realized if we did that entirely for the LPS, it  
19 would really undermine its ability to target these  
20 offshore trips and be as effective as it is. So,  
21 they're working on building up a novel design that  
22 includes a strict probability portion to the

1 Intercept samples as well as another side portion  
2 where they're allowed for more flexibility and  
3 going from site to site. So, that we can create  
4 more statistically valid estimates but at the same  
5 time, still allow them to have the effectiveness  
6 of getting enough samples on these rare event  
7 species to still get decent estimates.

8 MR. WEBER: Before we leave that, Cliff,  
9 I want to strongly agree with that. It was wrong  
10 on the old MRFSS survey because, you know, the  
11 fish counters almost feel like it is their job to  
12 find the fish not count the fish. So, given the  
13 opportunity of sitting once place and doing  
14 nothing and sitting at the nearby marina where  
15 they know they can get plenty of Intercepts, they  
16 almost feel like they're biologic samplers rather  
17 than Pelagic Interceptors. And they feel very  
18 happy when they have found fish because, as I say,  
19 it almost feels like a biologic sampling for them.

20 Along those lines, I'm looking at these  
21 MRIP references and I'm wondering if it's not time  
22 for this group to move away from MRIP in general



1 if there's a way to do LPS, LPIS coast wide.  
2 Because when I'm looking at the SAFE report, the  
3 MRIP estimates complete with FES are still all  
4 over the place in the number of fish and I don't  
5 believe it.

6 Because when you go to the next page and  
7 you look at the stability, where there is LPIS,  
8 where there is LPIS, there is very little  
9 variation year to year. There is a noticeable  
10 trend. People are starting to catch this. You  
11 can see it curve up, you can see it curve down.

12 When you look at MRIP, you'll go from  
13 200 fish to 5 fish to 2600 Sandbars. You know,  
14 all of the sudden, we went from 5 individuals to  
15 2600 individuals. I don't believe it, no one in  
16 this room believes it, I don't believe you believe  
17 it. It is an extrapolation of the data and we  
18 need to get it away and get to the data that we  
19 like. And the sooner we can leave MRIP and get to  
20 an LPS, LPIS concept, I think the better. Do we  
21 have a section coming up on reporting or is this  
22 the time to be talking about reporting as well?

1                   MR. HUTT:  It's coming up.

2                   MR. BROOKS:  It's coming up.

3                   MR. WEBER:  Okay.

4                   MR. BROOKS:  One moment.  Computer shut  
5 down.  Yeah, that's it for LPS.  Rick.

6                   MR. BELLAVANCE:  Thank you.  So, I was  
7 hoping to be efficient that I could kind of  
8 combine my LPS comments with the electronic  
9 reporting comments if that's okay because they  
10 kind of relate to each other.  So, my comments  
11 are, I'm encouraged by the moving towards  
12 electronic reporting.  I've been an advocate for  
13 that type of work on the for-hire side for a long  
14 time now and it's slowly starting to get there.

15                   And so, when I see a bullet point in the  
16 for-hire electronic reporting that says HMS  
17 considering its own rule, I would recommend that  
18 that for-hire fleet move away from the survey  
19 design all together and move towards a census  
20 through the electronic reporting.  So, anything in  
21 that rule that needs to be considered, I feel like  
22 that would be the time to think about that.

1                   And it would, I think, make it a lot  
2                   better for us in that world. The survey is what  
3                   we have right now but I have issues with it as  
4                   well. And I think that a census of the entire  
5                   fleet would be a better way to go about that.  
6                   Those are my comments on those two things.

7                   MR. ROOTES-MURDY: Thanks. Can you  
8                   remind me what we use the LPS for?

9                   MR. HUTT: We use the LPS to get  
10                  recreational estimates of HMS species. It was  
11                  primarily originally designed to deal with the  
12                  tunas from Maine to Virginia to the month of June  
13                  through October which is primarily when the  
14                  fisheries are going on up there at that time of  
15                  year.

16                 For our rulemaking analysis purposes for  
17                 that region, Maine to Virginia, we use the LPS  
18                 estimates instead of MRIP. We use the MRIP  
19                 estimates primarily for North Carolina through  
20                 well now Mississippi because that's what we have.  
21                 And we get extra data reported to us from  
22                 Louisiana, from LA Creel and Texas Parks and

1 Wildlife from their survey.

2 MR. ROOTES-MURDY: But for sharks, they  
3 don't inform, you know, recreational catch limits,  
4 right?

5 MR. HUTT: It depends on the shark  
6 species. For the Pelagics that are primarily  
7 caught in the Mid-Atlantic and the Northeast like  
8 makos and threshers and porbeagles and blue  
9 sharks. Yes, the LPS data is a primary data  
10 source and was the primary data source for  
11 amendment 11 on mako sharks. But, you know, for  
12 the large and small coastals which are primarily  
13 caught in the South Atlantic and Gulf of Mexico,  
14 we're primarily limited to MRIP data.

15 MR. BROOKS: Dave.

16 MR. SCHALIT: Question regarding LPS.  
17 Just the protocol is a dockside survey? And you  
18 are still calling a random sampling of 10 percent  
19 of the permit holders as well, is that right?

20 MR. HUTT: Yes. We're using dockside  
21 surveys for the catch data and telephone calls,  
22 the Large Pelagic Telephone Survey for the effort

1 data. I personally am not exactly sure what the  
2 exact percentage is of permit holders they call  
3 every month but that sounds about right. I don't  
4 know if that has changed and might even change  
5 with the redesign.

6 MR. BROOKS: Anymore you want to hear on  
7 this topic? No, okay. Go ahead.

8 MR. PIERDINOCK: I bring this up because  
9 the State of Massachusetts, the DMS, they have  
10 many, many dockside interview locations and commit  
11 a lot of money from the state recreational permits  
12 that go to have the people at the dock. But from  
13 state to state, is that the -- I know it's not the  
14 same so do you get masked DMS data when they do a  
15 dockside interview or are you just doing specific  
16 for the Pelagics from their interviews?

17 And it seems like there's a disconnect  
18 there that they're getting whatever that  
19 individual landed at the dockside so you're  
20 missing a data set that they've being provided  
21 whether it was bluefin or yellowfin or bigeye or  
22 so on. If you're never getting it, then it seems

1       like an easy fix to do that.  Get it from  
2       Massachusetts or other states that provide that.  
3       I think Louisiana is another example that has a  
4       great program.

5                   MR. HUTT:  Yeah, in the case of  
6       Louisiana, that's the only data program we have  
7       now.  As far as the like the LPS estimates go,  
8       they just use the data that's collected by the  
9       Quantech interviewers.  Even through they do get  
10      some, you know, HMS in the APAIS surveys that  
11      Massachusetts does, we still get far more samples  
12      in our design.  And currently right now, mixing in  
13      the MRIP ones would just complicate the statistics  
14      and wouldn't really improve the estimates.

15                   It's funny.  I mean, that's something  
16      with like probability statistical sampling.  You  
17      can't just grab extra data, throw it in there and  
18      expect that it's just going to fix things, you  
19      know, improve things if it's coming out of a  
20      separate design and all.  Because there's  
21      different ways you got to figure out, okay how do  
22      we weight that and all so it's tricky.

1                   But right now, we still get, even if you  
2                   compare the MRIP estimates that are generated for  
3                   different tuna species in the Northeast to our  
4                   estimates, the PSEs, you know, those measures of  
5                   the variability are far tighter for our estimates  
6                   than what MRIP is getting in that region. I mean,  
7                   by several factors of magnitude. So, there's a  
8                   reason we're doing the LPS and spending all the  
9                   money to do a separate survey.

10                   MR. BROOKS: All right, I'm going to  
11                   push us on because I know there's a bunch of  
12                   topics we want to get through. The next one is  
13                   the for-hire electronic reporting and you've sort  
14                   of stepped out where HMS is thinking about going  
15                   with this. I want to open this one up for  
16                   conversation as well, feedback, thoughts, other  
17                   approaches or yeah, looks good, stay the course.  
18                   Mike.

19                   MR. PIERDINOCK: Yeah, Rick Bellavance  
20                   already mentioned some of this. I mean, we need  
21                   to eliminate the redundancy and push the button  
22                   and all get notified. I have a Northeast federal

1 ground fish permit and I've had it for years. I  
2 have to report everything that I catch. And then  
3 I have to report to HMS, then I have to report  
4 Southeast if I get a Mahi or so on. There's all  
5 these different, you know, phone calls I have to  
6 make and reports that I have to make. So, if we  
7 could eliminate that redundancy, that would be  
8 great.

9 One thing that I've been saying for a  
10 number of years because I used to fill out paper  
11 of VTR's Vessel Trip Reports. Now we have  
12 electronic Vessel Trip Reports that I'm required  
13 to do and I do it. But they're only used to  
14 assess effort. You're not going to get buy-in  
15 from the Charter Head boat community and those  
16 that are constantly reporting unless you use it  
17 more than just effort.

18 And that is a continued level of  
19 frustration by many. We filled out paper ones, it  
20 went on a shelf, nothing was ever done with it.  
21 Now we're filling out electronic ones and we're  
22 being told the same other than it's providing



1 effort details. You need to take it to that next  
2 step so you can take that data and use it so we  
3 can then manage the fishery and keep us fishing  
4 and keep us on the water to have access.

5 So, anyway that could be expedited. I  
6 hope I'm not 5, 10 years from now and we're in the  
7 same situation. You're just looking at effort,  
8 not everything else that that data provides.  
9 Because I think you're going to have issues with  
10 participation and cooperation to fill them out if  
11 it doesn't get put to good use.

12 MR. BROOKS: Thanks. Anyone else want  
13 to weigh in on this one? Rick.

14 MR. BELLAVANCE: Thank you. Curious if  
15 there is a timeline for when the HMS reporting  
16 might be incorporated into the eVTR world. Any  
17 updates on that.

18 MR. HUTT: Okay, so on the idea of us  
19 requiring for-hire logbook for HMS there isn't a  
20 specific timeline on that. For the reducing the  
21 reporting and redundancy which is, I think, is  
22 what you're really asking about. That hopefully

1 the way it looks right now by next year if you're  
2 reporting via eVTR or eTRIPS, you shouldn't need  
3 to report separately through our system. If  
4 everything, you know, what ACCSP has been telling  
5 us about their timeline because they're kind of  
6 who's kind of controlling that right now, that  
7 should be in effect by then.

8 Right now, we've identified all the  
9 additional HMS data elements that we need  
10 collected. They've already kind of incorporated  
11 that and eVTR at GARFO, although they haven't  
12 flipped the switch, rolled it out yet, they're  
13 waiting for ACCSP to catch up. ACCSP has been  
14 working on that. They're building it into the  
15 next version of eTRIPS mobile which we're told  
16 should start testing this month.

17 And hopefully should roll out later this  
18 year basically in time for next year. And we've  
19 already kind of worked out an initial data sharing  
20 protocol that will get us data downloaded for HMS  
21 reports every 24 hours. So, hopefully by, you  
22 know, next fishing season, if you're reporting an

1 eVTR or eTRIPS, you won't have to report your  
2 bluefin tuna, billfish, swordfish separately  
3 through our system.

4 MR. HEMILRIGHT: Thank you. I was  
5 curious, and I thought I new this answer but I  
6 didn't. Do you currently have to report catch and  
7 release of marlins in any way besides like at a  
8 tournament where the tournament has restoration  
9 just by, you know. I happened to be reading the  
10 White Marlin paper from ICCAT and I was just  
11 reading over that. And I was just curious that if  
12 do we report any catch and release of White Marlin  
13 non-tournament?

14 MS. CUDNEY: We do not require the  
15 reporting of fish that are caught and released  
16 through our billfish reporting line or through the  
17 online app. It is something that we do collect  
18 data on. So, if somebody has a fish of legal  
19 size, they have to go in and report it, there's a  
20 spot where they can report the number of say, Blue  
21 Marlin that they have caught and released alive or  
22 dead. But at this point, that requirement is not

1 in place.

2 MR. BLANKINSHIP: And I'll add to that,  
3 that what Jen's talking about there is the  
4 non-tournament situation. In tournaments, all  
5 tournaments are required to report their activity.  
6 They're in the data form. There are not only data  
7 fields for landed fish but also for release fish  
8 and the disposition of that release fish. And so,  
9 in the tournament setting, that information is  
10 collected.

11 MR. HEMILRIGHT: Well, I was just  
12 curious, you know, would it help if the U.S.  
13 Recorded its catch and release non- tournament?  
14 You know, there's probably three or four thousand  
15 White Marlin a year. Would that help in like the  
16 stock assessment at ICCAT?

17 MR. BROWN: Well, yes. It could  
18 potentially could be helpful in that ideally for a  
19 stock assessment, you want to account for total  
20 removals. And we've -- so the best way to do that  
21 if we have the data to do it is to not only  
22 account for the kept fish but also the fish that

1 are discarded dead. And ideally to include some  
2 rate of mortality for the fish that are released  
3 alive. And so, we've been identifying that as  
4 important.

5           And so, if we want to be able to apply  
6 that to, for example, commercially, caught fish  
7 that are released alive and account for the total  
8 mortalities, then we should be doing that for  
9 recreational as well. Now generally, those post-  
10 release mortalities for recreation caught fish are  
11 relatively low and we do have some data on what  
12 those might be.

13           So, in an ideal world, we would be able  
14 to report the total catch including kept, released  
15 dead and released alive. And that would give us  
16 the best data for accounting for total removals  
17 and assessment. And if we want to, and if we  
18 think there are fisheries where that's happening a  
19 lot and there's low survival, if we're going to  
20 press for getting a better accounting from those  
21 fleets, we need to be able to say we're doing that  
22 for ours. So, you know, just for future

1 consideration it could be useful.

2 MR. BROOKS: Thanks.

3 MR. HUTT: And I would add, you know, if  
4 we go to mandatory log book reporting for HMS, it  
5 would include releases. In the meantime, at least  
6 in the Mid-Atlantic region, we have fairly robust  
7 precise estimates of releases for White Marlin in  
8 that region because they do get them reported  
9 fairly frequently in the LPIS. So, we have fairly  
10 good LPS estimates for those in that region.  
11 Obviously, because we only have a 250 total limit  
12 for harvests their actual harvests are actually a  
13 very rare event in the LPIS. So, that's why we  
14 really need the extra mandatory reporting to get a  
15 good handle on how many of those are being brought  
16 in.

17 MR. BROOKS: Good. If you could make it  
18 quick.

19 MR. HEMILRIGHT: I will. So, we do in  
20 the surveys your LPS or LPIS, you do have numbers  
21 of White Marlin releases for the U.S. right now,  
22 non-tournament.

1                   MR. HUTT: Yeah, for the LPS region, you  
2 know, from Maine to Virginia, we've got White  
3 Marlin estimates of releases. We have Blue Marlin  
4 estimates of releases but you see them maybe a bit  
5 more in the South Atlantic than the mid- Atlantic.  
6 And, you know, from year to year if they're  
7 intercepted or if trips that reporting releases of  
8 those are intercepted at MRIP, we've got, you  
9 know, those estimates as well. But they're not  
10 going to be as precise as the LPS estimates.

11                   MR. HEMIRIGHT: Yeah, we can't go by  
12 using MRIPS. I mean, it's got its problems all up  
13 and down the coast. And like Rick said, you know,  
14 nobody believes and so we can't use that. But  
15 I'll follow up with you because I'd just like to  
16 see what the numbers are. Thank you.

17                   MR. BROOKS: Okay, thanks Dewey. Okay,  
18 Kirby is your card still up there or is it left  
19 over? Okay, next topic, HMS tournament issues.  
20 What, in particular, would be helpful for you all  
21 to hear on this one?

22                   MR. BLANKINSHIP: Well, I think that

1 we've been in one year now or not a full year of  
2 selecting all HMS tournaments for reporting.  
3 Previously, it was all billfish and swordfish  
4 tournaments that were selected for reporting. So,  
5 to the extent that there would be any input on  
6 experiences with that, we'd love to hear that and  
7 anything else, I think, related to tournament  
8 settings.

9 MR. BROOKS: Okay any feedback on this  
10 question? I've got, we'll go to David and then up  
11 to Rick.

12 MR. SCHALIT: Just in general, we see  
13 that tournaments are, because they're a locust for  
14 fisherman, obviously is that a singular  
15 opportunity to do outreach functions. You know,  
16 to go through the regulations, to educate on some  
17 level. And that is perhaps the easiest point of  
18 contact with recreational sector.

19 So, it seems to me that if we could take  
20 the view perhaps that if we would exploit this  
21 further in the coming years, I think it would  
22 definitely pay off. I would, you know, be very



1 supportive of that, thanks.

2 MR. BLANKINSHIP: Thanks, that's a very  
3 good suggestion. It's one that we would love to  
4 capitalize on more and we already strive to  
5 capitalize on to the extent that we can, given our  
6 resources and manpower and all of that. So, one  
7 thing that we do is we have a requirement that all  
8 HMS tournaments register with the Agency. And  
9 when they do, then we ask them the question if  
10 they would like to have outreach material and how  
11 many participants do they have in their  
12 tournaments so we'll know how much of the material  
13 to send. And we get a lot of feedback on that.

14 And then we have a system internally  
15 where we produce, you know, the print material,  
16 regulation booklets, a lot of the shark ID guides.  
17 A lot of that material is then packaged up,  
18 shipped to the tournament operator and then they  
19 most of the time put those in the captain's  
20 packets for distribution at captains' meetings and  
21 oftentimes put them out for other use. Yeah, so  
22 that has been a very good program for us.

1           In addition to, like we just were  
2           talking about, that Brad was mentioning, had an  
3           opportunity this year where we did get some folks  
4           out to some tournaments. We did a similar thing a  
5           couple of years ago where we really did a kind of  
6           a push to get some people out to some tournaments  
7           around the area. And those are great too, we  
8           really appreciate the opportunities that those  
9           tournaments afford us to be able to talk to them  
10          at the captain's meetings and would love to be  
11          able to do more of that.

12           Unfortunately, there's only so many of  
13          us and we're also doing other things and so that  
14          gets to be a challenge too. But yeah, getting the  
15          materials out there to them has been a real  
16          success.

17           MR. BROOKS: Thanks, Randy. And by the  
18          way, operator, if you would just take the folks  
19          off mute. Thanks.

20           MR. MCHALE: So, also just to follow up  
21          on what Randy had mentioned. We do a lot of  
22          collaboration with other partners with inside the

1 Agency. For instance, the APEX Pirate Program is  
2 attending a lot of the shark tournaments and  
3 biologically sampling a lot of those fish that are  
4 coming to the scales and has been for quite some  
5 time.

6 We also then collaborate with the Port  
7 Agent Group, say out of the Northeast where we  
8 have a lot of port agents up and down the coast  
9 that are really kind of liaisons between the  
10 Agency and the industry that may attend these  
11 meetings. Again, in an outreach effort sharing  
12 their, you know, expertise on the rules and  
13 regulations. They may even transcend just the HMS  
14 fisheries because they tend to be Jack's or Jill's  
15 of all trades.

16 And then lastly, sometimes we'll  
17 collaborate with the office of law enforcement  
18 where they may send down, say a uniformed officer,  
19 again, in that outreach effort for all the reasons  
20 you mentioned there David. It is a time and place  
21 where you have a captive audience, especially  
22 where a lot of these tournaments require the

1 vessel captains and crews to attend the captains'  
2 meetings. So, it does provide an opportunity to  
3 get word out and make ourselves whether it's HMS,  
4 OLE, science center folks or port agents to  
5 communicate, you know, what the Agency has to  
6 share.

7 MR. WEBER: What they said. That really  
8 was where I was going to start was because you  
9 guys are very responsive with the materials and  
10 all of those things. Two technical pieces. You  
11 don't always ask when those materials should  
12 arrive and sometimes my packets are made prior to.

13 And in the future, if we could ask when  
14 those materials should arrive, that would be  
15 helpful because we actually went and printed our  
16 own compliance guides this year the day before  
17 your box arrived. And then found out that they  
18 were the March version instead of the April  
19 version so we threw away everything that we had  
20 printed and went with yours. So, I was happy to  
21 have yours but it would have been better if we had  
22 talked about that in advance.

1                   On a technical piece with the website,  
2                   there needs to be either an upload option or an  
3                   import option because typing all of the weights  
4                   and lengths into your screen when we already have  
5                   them in Excel is maddening, for a good tournament.  
6                   For a bad tournament, it's relatively easy. But  
7                   for somebody that's got 150 boat tournament, it  
8                   would be far better if.

9                   Now, is Marty here, I want to see Marty  
10                  hang onto his seat because I'm going to agree  
11                  strongly with Marty. It is time as a professional  
12                  tournament operator for you to tighten up on those  
13                  people that are not complying. You wouldn't let  
14                  me get away with it. You should not let these  
15                  other people get away with it. If they want in my  
16                  game, they need to do what I'm doing and there  
17                  needs to be some measure of responsibility there.

18                  I say that very differently so we're  
19                  clear. You know, I'm still in a rec seat. I  
20                  don't expect the recreational fisherman to be able  
21                  to follow everything. I appreciate when you offer  
22                  some leniency to an everyday recreational

1 fisherman because they are not in it  
2 professionally. But most of these tournaments  
3 have crossed the line to being a business and need  
4 to be held to the standard that's been  
5 established.

6           Along those lines, maybe a scientific  
7 observer program needs to be developed for every  
8 tournament. Observe us, bring it on. Put it  
9 underneath Craig. You know, now if you have a  
10 scientist who is already coming, and you're having  
11 sampling done, it may not need to be NMFS staff.  
12 Because I've had three of the scientists around  
13 this room sample at my events.

14           This year I had a Rutgers medicine  
15 scientist who is studying eye lense tissue never  
16 gets cancer, came and showed up and he was taking  
17 lenses. There are things but if we wanted some  
18 consistent piece from every tournament landed  
19 fish, it's available, you know. As I say, I  
20 already have scientists on sight. Scientific  
21 observing is slightly different than OLE observing  
22 but it still means that NMFS is on site in some

1 format. And I think maybe that should be explored  
2 because it's a really good opportunity and it's  
3 going to become relevant here in a couple of  
4 slides when we're talking about Marlin caps and  
5 those type things.

6 MR. BLAKINSHIP: I'll just point out  
7 real quickly that we do have an ICCAT requirement  
8 for observer coverage that we do abide by. And  
9 actually, Craig shot those, execute that and  
10 coordinate it.

11 MR. BROOKS: Is there anyone on the  
12 webinar that would like to weigh in on this, or  
13 for that matter, any of the other issues that came  
14 up so far? Okay. Let's move to the next topic  
15 which is improving communication of recreational  
16 regulations, and I'd like to fold into their, I  
17 think maybe it was David you put into the table  
18 sort of the whole regulatory outreach and getting  
19 that improved. I think that fits in there. So,  
20 comments, you can start that off if you want,  
21 David.

22 MR. SCHALIT: Okay, from a commercial

1 fishing perspective, and specifically a connection  
2 with bluefin but also the tropical tunas. Bluefin  
3 receives its very own -- each individual bluefin  
4 receives its very own Social Security number.  
5 That's how tightly we are controlled. There's no  
6 other country in the world that can claim this,  
7 okay.

8           And it not only receives a Social  
9 Security number but it also receives a passport  
10 number in case it needs to go somewhere, you know,  
11 the ABCD, right, okay. And we are reporting as  
12 individuals, we're reporting to the Agency. And  
13 our fish dealer, our federally licensed fish  
14 dealer is also reporting to the Agency. And then  
15 we are also reporting this landing, this one fish  
16 that we landed, in the multi-species log book,  
17 right?

18           So, and I don't even want to get into  
19 what happens if accidentally catch a dolphin fish.  
20 But what I'm saying is that it would be foolish  
21 for us to measure the effort that we are involved  
22 in in terms of our reporting with what's going in



1 the recreational sector, okay. Because as was  
2 pointed out, these guys are not doing this for a  
3 living.

4 But there is a tremendous emphasis at  
5 the ICCAT level for accurate reporting that we're  
6 not necessarily -- our guys are not necessarily  
7 all that cognizant of. And I think this is very  
8 worrisome for me. It actually goes back to about  
9 8 years ago at one of these meetings, I think it  
10 was 8 years ago. In which Margo said at the very  
11 beginning of the meeting, I've got an ugly  
12 surprise for you people. And then she ultimately  
13 revealed that in that given season, in that given  
14 year, the recreational sector had exceeded its  
15 bluefin quota.

16 So, what it means is that we are  
17 fearful. As commercial fisherman, we are fearful  
18 that we could wake up one day and look at some  
19 numbers that will negatively affect us, you know,  
20 affect our catch. And what we're always trying to  
21 do is to influence some change that may take place  
22 on a regulatory level that would lessen the

1 probability of that happening, okay.

2 I mean, I can reference you right now  
3 this issue of bigeye tuna, okay. Bigeye tuna has  
4 been -- the standing committee has recommended to  
5 the Commission, ICCAT, that we reduce the TAC on  
6 bigeye Atlantic wide by 40 percent, 40 percent.  
7 Okay so we are now grappling with what it is that  
8 we're going to wind up with in terms of quota  
9 because it's inevitable that we will go from an  
10 Atlantic wide TAC which is what we have now with  
11 certain exceptions, certain countries have a  
12 quota, other countries don't right.

13 It's not a hard quota system, to a  
14 system in which every single individual CPC, you  
15 know, contract party will have its specific quota  
16 just as we had with bluefin tuna. And then what  
17 will be the endgame in that scenario when we look  
18 at what our landings are here in the U.S. And  
19 when we take account of the recreational component  
20 in those landings, this is extremely worrisome to  
21 me.

22 MR. BROOKS: Okay, I want to jump in and

1 push you a little bit. So, what do you want these  
2 guys to hear or be thinking about going forward?

3 MR. SCHALIT: This dialogue is more of  
4 the same. It's actually leading along the same  
5 lines that we've been speaking all the while.  
6 There seems to be an urgent need to come up with a  
7 new mousetrap or a new way to quantify the  
8 recreational landings. Okay, this is where I'm  
9 headed.

10 It's you know, when it comes to bluefin  
11 tuna, we're bullet proof in the commercial sector.  
12 When it comes to tropicals, bigeye and yellow fin  
13 in the commercial sector, any fish that's turned  
14 over to a federally licensed dealer is then  
15 reported to NOAA. So, NOAA should have accurate  
16 numbers on those landings.

17 But I know for a fact, I mean, I'm  
18 sitting in Shinnecock Bay and I can see what's  
19 going on and it's so obvious to me that there's a  
20 whole lot of data that just falls between the  
21 cracks. We never even know about these fish being  
22 landed. And so, I have a sense of urgency about

1       this and I think my main thrust here is to convey  
2       that urgency to you guys.  Thanks.

3                   MR. BROOKS:  Thanks, David.  Mike and  
4       then back to Rick.

5                   MR. PIERDINOCK:  You know, from an ICCAT  
6       standpoint, just so everyone around the table  
7       knows, the rest of the world does not report  
8       recreational landings, only here in the United  
9       States.  So, you know, I have my same concerns but  
10      they're not even recognized in what's landed  
11      recreationally whether it's bluefin, bigeye or any  
12      other species.

13                   We record it, we manage it, we do the  
14      best we can with it.  I think that what needs to  
15      be recognized here is that people like me and  
16      others around this table, we're emphatic about  
17      fishing, we love to fish.  We're reporting, we  
18      catch, we go, we report.  That's probably only  
19      about 10 percent of the fisherman who are catching  
20      90 percent of the fish.  It's no different when  
21      you are deer hunting if you look at the same  
22      statistics.

1           So, those other 90 percent, they're not  
2 interested in filling out reports and doing those  
3 things. They're maybe going out one, two, three,  
4 four times a year. So, that's going to be a  
5 difficulty to get them to do it and whether they  
6 catch anything or not but it's a difficult thing  
7 to do.

8           And how we make that leap because we've  
9 been discussing this same thing for many, many  
10 years, I don't know how you do that. Where your  
11 typical, you know, other 90 percent that's just  
12 going out a few times a year and they don't want  
13 to report. They just want to go out and fish and  
14 have fun. Why should I do this? So, that's  
15 something that has to be considered.

16           I got FishRule, I got fish apps, I'm  
17 putting it all out there. But is that going to be  
18 the same was as our eVTR's and nothing is done  
19 with it, just providing effort. And I know that  
20 nothing can be done with fish apps because it has  
21 to go through a whole process of scientifically  
22 how that can be valid and I have concerns about

1 that. About how these apps for the recreational  
2 anglers are scientifically valid information and  
3 truly representative of what's out there.

4 So, this is going to take some time. I  
5 wish I could snap my fingers and you could to to  
6 fix it. But the rest of the world, there's no  
7 recreational landings, nothing. They don't  
8 recognize it, only here in the United States.

9 MR. BROOKS: Thanks Mike. Rick.

10 MR. WEBER: Starting with --

11 MR. BROOKS: Hang on one second.

12 MR. WEBER: Starting with the website  
13 because it's there and I know you're aware of  
14 this, Brad, but I will strongly reinforce. The  
15 website's awful, God awful. As somebody who is  
16 here when I get asked a question and I need an  
17 authoritative answer because I'm viewed as an  
18 expert, I don't know where to turn. I go, I  
19 search, oh no that's 2017. I search again, okay  
20 now this is 2019 but this is January. As I say, I  
21 know you know and I know that there is a project  
22 in place to fix it but tomorrow would be fine.

1       It's bad and you know it.

2                   Now, going back to the other questions.  
3       Because Dave brought it up, I have no choice but  
4       to at least repeat. Mike, we have the best  
5       recreational reporting system in the world. It is  
6       deeply flawed and it is the best in the world.  
7       Should we improve it, yes, but we could just  
8       switch to the ICCAT standard which is nothing.

9                   As far as other reporting, I'm going to  
10       call out Angel here and perhaps Randy. Because  
11       when you're asking, Mike, how do you do this, both  
12       Maryland and North Carolina. Now, Maryland has an  
13       advantage that they have 10 miles of coastline.  
14       They have a ton of boats but they have 10 miles of  
15       coastline.

16                   But as somebody who runs a tournament in  
17       Maryland, they are all well-trained. You know,  
18       they show up, they've got their paperwork out,  
19       they're greeted by DNR. There's an exchange,  
20       there's a tag, it works spectacularly. I believe  
21       Randy is on the line and Randy has a ton of  
22       coastline and I don't know what that system is

1       like.

2                       But at least for Marlin and those type  
3 things, I'm continuing to think we need to look at  
4 some type of tag program. But we've all gone back  
5 on this before. I don't just want to issue the  
6 250 tags. There needs to be a way that you  
7 distribute a bunch of tags and only activate them  
8 before the fish leaves the boat or something.

9                       And as probably the only state not  
10 represented here, I nominate New Jersey for being  
11 one of your two. You always nominate the person  
12 that's not in the room, right? So, maybe New  
13 Jersey will send a rep.

14                      MR. BROOKS: Lisa.

15                      MS. NATANSON: Hi, Lisa Natanson, APEX  
16 Predators. I just wanted to mention when you're  
17 talking about kind of in a way back to the  
18 tournaments and the captive audience of the  
19 meetings, we also have a captive audience with our  
20 tagging program. And as someone who mans the  
21 hotline, both the website hotline and the phone  
22 hotline, I talk to recreational and commercial but



1 mostly recreational fisherman every day and  
2 clarify the rules and regulations.

3           When we sign up any tagger, we inundate  
4 them with all the same information from the  
5 packets. We also bring those to the tournaments  
6 so they end up with a lot of information and a  
7 resource to come to if they have questions later.  
8 I've been on the phone today answering  
9 recreational fisherman all day. So, we have a  
10 very close relationship with the recreational  
11 sector and can also be a help to this kind of a  
12 project.

13           MR. BROOKS: Thanks, Lisa. I want to  
14 see if Angel or Randy want to weigh in at all on  
15 what Randy just said.

16           MS. WILLEY: I'm being put on the spot.  
17 We've been running the Catch program I think since  
18 1999 and it does work really well in Maryland. We  
19 have pretty good compliance. That was the whole  
20 reason it was started was to improve compliance in  
21 Maryland. So, but again like Rick already pointed  
22 out, we have a very small coastline so to expand

1 that out you would need to talk to somebody like  
2 Randy that has a lot more ports.

3 MR. BROOKS: Randy. Operator, are folks  
4 off mute?

5 MR. COOPER: He no longer shows on the  
6 webinar.

7 MR. BROOKS: Okay, we think he's not on  
8 anymore.

9 MR. BLANKINSHIP: And in his defense,  
10 the hurricane is getting closer that direction.  
11 He might be paying attention to other things.

12 MR. McHale: You know, so we hear you  
13 loud and clear. For those say P members that  
14 maybe a little longer in the tooth than others,  
15 you may recall that the HMS management division  
16 did an extensive dive into looking at a whole  
17 variety of different recreational kind of tagging  
18 programs. Whether it was deer tags, turkey tags,  
19 gator tags, I mean, the list goes on and on.

20 The year escapes me but we also ran a  
21 pilot program in the Commonwealth of Massachusetts  
22 where we distributed tags and tried to get at when

1       you have a very different coastline and the number  
2       of access points, say from Maryland and even  
3       different from North Carolina. How do you then do  
4       that verification program? How do you manage just  
5       the tags so you know which ones are actually used,  
6       which ones are lost in the shuffle, which ones are  
7       you getting back?

8                   And there was some promise there. You  
9       know, again, I got a little rust build up from  
10      that but I think ultimately funding probably was a  
11      big driver how we didn't necessarily pursue it.  
12      But there has been some exploration of those sort  
13      of programs. But it's not lost in us that this  
14      whole debate of census versus survey methodologies  
15      and the accuracy and, you know, what's the better  
16      number to represent our recreational fisheries.  
17      As well as the importance those resources are to  
18      our recreational community. How do you then  
19      ascertain that information and quantify it?

20                   MR. BROOKS: All right, I want to move  
21      us shortly to the next topic but I've got four  
22      people who want to hop in. So, let's go to Steve

1           then Dewey then Kirby then Anna.

2                       MR. IWICKI:  Yeah, real quick.  I mean,  
3           this may overlap with your FishRules but that app  
4           is becoming very popular in the rec community for  
5           really two reasons.  One, it's a relatively up to  
6           date in book for the changing in shore species,  
7           fluke, seabass and all that, and two it's got  
8           pictures of just about every species.  Problem is  
9           it doesn't list every species.  If you look at  
10          different states like New Jersey doesn't have tile  
11          fish listed there.  Or, you know, there's not  
12          species that are not regulated at the state level  
13          but will be different between New Jersey, Delaware  
14          and Maryland just because of the accuracy of their  
15          information.

16                      But I'll tell you, that app is becoming  
17          popular because it's an online rule book and an  
18          online identification guide.  So, if you keep  
19          working with them, I think you're going in the  
20          right direction.

21                      MR. ROOTES-MURDY:  Yeah, thanks.  So,  
22          obviously on the state side at the Commission, we

1 try to wherever we can, outline what the state  
2 regulations are on our website. And given that  
3 the Commission's plan is complimentary to NOAA's  
4 HMS plan for all these species, there generally is  
5 pretty good overlap.

6 But I think what I would encourage is as  
7 you guys are looking to update your website, you  
8 know, just keep the Commission in mind. In trying  
9 to make sure we have linkages on making sure our  
10 websites are directing each other or people to  
11 each other when needed.

12 MS. BECKWITH: Yeah, so I sent Randy a  
13 text message shaming him but he hasn't answered  
14 so. The Catch Card program in North Carolina has  
15 worked relatively well but I would venture to say  
16 that it isn't something that we could scale up  
17 very easily because of enforcement on some of the  
18 other issues. That's been our experience. It's  
19 worked really well on pockets of North Carolina on  
20 the Outer Banks for various reasons.

21 And then, in terms of your idea for  
22 tags, I can tell you that the South Atlantic

1 Council has beaten the tag idea to death. And we  
2 found a lot of problems with it scaling up for  
3 reasons that any species that are under Magnuson  
4 Stevens, we can't really issue more tags than the  
5 ACL. So, the idea of issuing tags out and then  
6 activating them before the fish sort of leaves the  
7 boat was not viable, National Marine Fisheries  
8 told us. So, we have sort of thought through some  
9 of those and have found it to be a relatively  
10 non-starter for large.

11 MR. BROOKS: Thanks, Anna. Dewey you  
12 remembered?

13 MR. HEMILRIGHT: Yes. I happened to  
14 watch one of the unload tournaments in Ocean City  
15 and it was pretty impressive how the weigh-in of  
16 the -- getting the measurements of the fish, the  
17 fish are tagged. I mean, you get a lot of  
18 information there. And definitely, you know, the  
19 tournaments are probably one of the best ways to  
20 reach out to get the compliance assistance or  
21 stuff like that and get the information out there.

22 You know, I guess until it gets bad

1       enough with MRIP or these other methodologies,  
2       it's going to continue on. But it just seems  
3       like, you know, the day of technology and I don't  
4       know why I wasn't a big fan of it, you know,  
5       texting and all that other stuff the crowd does  
6       nowadays. But that phone, there ain't many folks  
7       that's running outboard or better boat, they got  
8       that phone. And nine times out of ten they're  
9       coming up channel on the phone texting or  
10      something like that.

11                So, the key to all this stuff is going  
12      to be somehow through phone apps. Suppose you get  
13      50 percent compliance. No, I'll take that back,  
14      30 percent compliance the first year. Then you  
15      get 50 percent. You know, it's almost like the  
16      general category fisherman reporting their catch.  
17      I mean, we're in three years now, there ain't but  
18      so many and we might be at 55 percent or something  
19      for the major part of the harvest. But it hasn't  
20      got bad enough to fix it.

21                We see it, you know, I know at the  
22      council level, we've had to do even though blue

1 line tile fish is considered a rare event species,  
2 we had to do some DELPHI analysis to come up with  
3 these numbers where a captain looked that way, a  
4 captain looked that way and they seen boats and  
5 then they come up with the numbers. And we still  
6 three years later of an amendment still can't do  
7 because we don't have reporting and nobody  
8 believes MRIP, it's always zeros.

9           The same in the South Atlantic. They've  
10 sent letters, the South Atlantic states sent  
11 letters to NMFS, I believe, about how some of the  
12 wildness of the Intercept surveys and the MRIP in  
13 general and hopefully we'll hear back from that.  
14 But, I mean, you know, HMS is -- I wonder when  
15 this is actually going to take place, you know.  
16 It will probably be another five years from now  
17 before something happens like that. But it hasn't  
18 got bad enough because when it gets bad enough,  
19 then it will get fixed.

20           And, you know, there's somebody out  
21 there that's got the technology and Mike's point  
22 about the recreational crowd don't want to report,



1       that's tough. They want to go fishing, you got to  
2       report, plain and simple.

3                 MR. BROOKS: Thanks, Dewey. Let' go to  
4       the next slide on Atlantic tunas.

5                 MR. MCHALE: How about items here that  
6       we haven't given air time too already.

7                 MR. BROOKS: Let's go over to Alan.

8                 MR. WEISS: Thank you. My attention was  
9       drawn to the last line on this slide and I have no  
10      idea who came up with this idea. But it's not --  
11      I'll try to put this diplomatically, it's not a  
12      very good idea. We know that the adverse  
13      condition of the bigeye stock in the Atlantic is  
14      entirely driven by the catch of juvenile fish in  
15      the Eastern Atlantic and the purse seine and bait  
16      boat fisheries there.

17                There is no reason to even be thinking  
18      about retention limits on bigeye tuna for the  
19      United States recreational fishery. First of all,  
20      before ICCAT requires anything like that and  
21      second of all, if you band all retention of bigeye  
22      tuna in the U.S. recreational fishery you would

1 not be able to detect any benefit from that in the  
2 fishing mortality rate for the stock. So, it  
3 boggles my mind to even ask the question, should  
4 we consider this.

5 MR. BROOKS: Thanks Alan. Let's go to  
6 Rick then Anna then David then back Rick. Rick  
7 Bellavance.

8 MR. BELLAVANCE: Thank you. Just a  
9 couple of comments on the bluefin tuna bullets.  
10 The trophy bluefin for the angling sector, I think  
11 that would benefit from a slight increase. We've  
12 talked a little bit about the purse sein fisher  
13 closing down and maybe there's an opportunity  
14 there to shift some fish into that sector.  
15 There's a pretty good economic benefit there.  
16 People spend a lot of money going fishing and  
17 don't catch much. So, that's probably a good  
18 place to put some of those fish, in my opinion.

19 Post-release mortality after fishing has  
20 closed, I think that's also something that's an  
21 important issue in the Northeast. We're catching  
22 these big fish on spinner rods and they're all

1 proud that they let them go but they're probably  
2 mud darts. So, I think that should be looked into  
3 a little bit more and maybe there's an opportunity  
4 there to educate the public.

5 Right now, we're looking at stripped  
6 bass cuts and percent of the mortality if the  
7 striped bass fishery is due to recreational  
8 release of fish. So, we play with our fish a lot  
9 but we kill them doing it. So, we might want to  
10 think about maybe raising awareness on catch and  
11 release is not all it's made up to be.

12 And then the last bullet with the  
13 Charter/Headboat commercial sale of fish. The for  
14 hire sector is the primary way that the non-boat  
15 owning public access the resources, and in  
16 particular, HMS because they're far off shore. If  
17 you don't have a boat, you're probably not going  
18 to get them. So, I think it's important to  
19 preserve that fishery and their business is out  
20 there to make a living and a key to a successful  
21 business is diversity.

22 Our fleet is getting older. There's not

1 a lot of incentive for new kids to get into our  
2 fishery. So, we're kind of pigeon holing them  
3 into specific fisheries I don't think is good  
4 business model. Anything that we can do to expand  
5 opportunity to earn an income will preserve that  
6 fleet a little bit longer and give the non-boat  
7 owning public more access or at least continued  
8 access to the resource as it is now. So, I would  
9 suggest any opportunity to make a dollar in the  
10 for-hire fleet is something we should preserve.

11 MS. BECKWITH: Yeah, I mean, I guess in  
12 my viewpoint I feel like we've dealt with the  
13 Charter/Headboat commercial sale with the recent  
14 discussion on Coast Guard and requiring the permit  
15 for sale and making sure that those guys had all  
16 the appropriate commercial gear and safety gear on  
17 board. So, to me it's no longer an issue and, I  
18 think, the guys have responded to that well and  
19 are abiding by it.

20 In terms of the second bullet point, the  
21 post- release mortality, I mean, I agree that some  
22 of the catch and releases is not great but it

1 would be difficult to reinforce a restriction.  
2 So, certainly discouraging or educating would be  
3 an appropriate way forward but restrictions would  
4 be almost impossible to enforce.

5 MR. BROOKS: David.

6 MR. SCHALIT: Has the Agency ever  
7 considered using the same protocol for catch and  
8 release of tuna's as they do with the Pelagic  
9 Longline Fishery and turtles? In other words,  
10 each captain is required to take a class in which  
11 he learns how to safely release those turtles.  
12 Maybe that's something worth looking at.

13 Because, you know, I think that there's  
14 a general lack of knowledge of the biological  
15 events that take place around catching bluefin or  
16 bigeye or yellowfin for that matter. I know that  
17 the Agency has a card on this, okay. There's a  
18 document that they have which basically gives very  
19 sort of rudimentary information that's essential  
20 but not detailed, nowhere near detailed enough. I  
21 think a video, like a YouTube video would be even  
22 more effective to show what we're talking about.

1                   We see every single day, fish being  
2                   tortured out there and, you know, extremely long  
3                   fight times. It's impossible. I can't see how  
4                   it's possible that these fish, even if they, when  
5                   they arrive to the boat should still be wiggling  
6                   in the water and be released will actually survive  
7                   some predation. We're talking about wasting a  
8                   highly valuable resource. So, my take on this one  
9                   is that we need to find a better way to educate  
10                  those people who are doing catch and release and  
11                  require them to learn how that's done. Just as we  
12                  do with the longline captains. Okay, that's one  
13                  point.

14                  Then regarding bigeye retention limits,  
15                  I'll just make a simple statement on that.  
16                  There's absolutely no reason on earth that anyone  
17                  could invent in this room why we shouldn't have  
18                  bigeye retention limits. There's no reason. It  
19                  has less to do with the sustainability or a  
20                  rebuilding the stock or whatever or more to do  
21                  with accountability, okay. When you see the  
22                  wholesale slaughter of bigeye that I have seen in

1 the Canyons region where vessels are coming back  
2 with 20, 30, 40 bigeye and these are huge fish  
3 with a tremendous amount of meat on them. You  
4 know that it's absolutely a foregone conclusion  
5 that those fish are not going into somebody's  
6 freezer, they're being sold. So, when I say  
7 accountability, I'm talking about illegal sales of  
8 bigeye. Okay, bigeye happens to be --

9 MR. BROOKS: David, I need you to wind  
10 it up if you could.

11 MR. SCHALIT: Sorry?

12 MR. BROOKS: If you could just wind up  
13 because I need to get other people.

14 MR. SCHALIT: I am winding it up.  
15 Bigeye is the most valuable -- it is more valuable  
16 than bluefin tuna by the pound. All right, thank  
17 you.

18 MR. BROOKS: Thank you. Randy, you  
19 wanted to jump in?

20 MR. BLANKINSHIP: Yeah just a little  
21 bit. Because you were touching on the idea of  
22 requiring a class for safe handling and release

1 for sea turtles for recreational fisherman. I  
2 just wanted to just mention that the Agency does  
3 have some work that they're doing to collect some  
4 information about sea turtle interactions around  
5 fishing peers and where those types of  
6 interactions are kind of concentrated some times.  
7 And some of this is trying to get more information  
8 about the frequency of that occurrence and then  
9 what could be done that would be effective. And  
10 so, it's looking at those instances where there  
11 might be a higher likelihood of the interaction in  
12 trying to address that in PEERS is what has come  
13 up.

14           And then the other thing I'll mention  
15 because it's related to post-release mortality  
16 reduction is to remind folks that we do have some  
17 things that we've put in place and that's  
18 particularly related to improving post-release  
19 mortality of billfishes. And that's the circle  
20 hook requirement in billfish tournaments which has  
21 been in place for some time and I just wanted to  
22 remind folks of that.



1                   MR. BROOKS: Thanks. So, I want to get  
2                   in Rick Weber then over to Steve and then back  
3                   over to Mike.

4                   MR. WEBER: I will never not be in favor  
5                   of education. So, if we want to talk about catch  
6                   and release mortality, education is good. Beyond  
7                   that, all gear types, all nations at the same time  
8                   for reporting. When we're ready to talk about all  
9                   gear types catch and release and all nations are  
10                  prepared to bring it to the table, that is when  
11                  the U.S. Should bring it forward.

12                  It's once again and Dave, you shock me  
13                  with your comments only because we preach don't  
14                  get ahead of ICCAT. Never get ahead of ICCAT  
15                  because you never get it back, never. There is  
16                  no, oh, we did this so now you can do it too. We  
17                  preach never get ahead of ICCAT to this group  
18                  because we watch what goes on and you go but we do  
19                  that and they go that's nice, now do more.

20                  So, you kind of blow my mind suggesting  
21                  we do anything ahead of ICCAT. Because I'm  
22                  strongly opposed to it just because we'll never

1 get credit for it. It might be a great idea.  
2 Let's see if we can sell it to the rest of the  
3 world and join in but other than that, follow  
4 ICCAT's lead man, you know. Did I have anything  
5 else on this point?

6           However, I did have another note which  
7 was you do need to be thinking internally about  
8 what you're going to do with bigeye if we come  
9 back. Do you need to be implementing if not, no,  
10 but I think there's a strong possibility it's  
11 there. Do I think it's a good conversation for  
12 you guys between now and November so that the  
13 Agency is prepared for whatever comes forward when  
14 somebody says, we'll give you this amount? Yeah,  
15 I think that would be a brilliant conversation for  
16 you guys to have so that you are prepared so we  
17 are not doing this off the back of an envelope,  
18 you know, in that room. You guys are always  
19 prepared but I feel like I should throw it out  
20 there that way anyway. Randy is looking at me  
21 like when have I not been prepared. I will be  
22 prepared.

1                   MR. BROOKS: So again, your main  
2                   takeaway is get ahead of ICCAT as much as  
3                   possible?

4                   MR. WEBER: Yes.

5                   MR. BROOKS: Okay, just checking. I  
6                   just wanted to make sure I got that right. Steve.

7                   MR. GETTO: On the topic of the trophy  
8                   category and more trophy fish for the anglers, is  
9                   there a biological reason why they can't convert  
10                  some of their quota to larger fish? I mean,  
11                  they've got 232 metric tons or something. Could  
12                  more of that be converted?

13                  MR. MCHALE: Yes, we could explore that.  
14                  You know, obviously as our data feeds into the  
15                  stock assessments, there are assumptions of  
16                  different levels of mortality at different age  
17                  classes. But I think the quantities that we're  
18                  talking about minimal in the grand scheme of  
19                  things that that's worth entertaining.

20                  MR. BROOKS: Thanks Steve. Anything  
21                  else you wanted to say? Rick you want to jump in  
22                  on that one?

1                   MR. WEBER: I do because I don't -- as  
2 we're talking about trophy, Brad, you'd be going  
3 over 73 and most of the angling category is done  
4 by the tolerances is it not? We don't have the  
5 ability to move tolerance into over 73, I don't  
6 think.

7                   MR. MCHALE: Well, I mean, the angling  
8 category is a percentage of the U.S. quota that is  
9 then further broken down into those size  
10 categories. But there isn't anything necessarily  
11 driving that those fish that are dedicated for the  
12 trophy fishery couldn't necessarily be moved  
13 within the angling category or from one of the  
14 other categories or from one of the other  
15 categories or the reserve. So, I think it's all  
16 potential for discussion, I think, is more of my  
17 point.

18                   MR. WEBER: We misunderstood the  
19 question because I thought the question was  
20 couldn't we give up small to take large and I  
21 don't believe we can give up small to take large.

22                   MR. MCHALE: I would refine that. You

1 probably couldn't convert school size category  
2 fish to giants but you would have to properly  
3 assess what the individual count is and, you know,  
4 there's more that goes into it. It's not a quick  
5 swap but it's entertainable.

6 MR. GETTO: Can I make a comment?

7 MR. BROOKS: Yeah, go ahead.

8 MR. GETTO: I mean, we talked about this  
9 when we went through this whole talk in the  
10 general about taking 65 inch fish and you'd have  
11 reduce the, you know. If you took a ton of giants  
12 and you wanted 65 inch fish, you would have to  
13 take like a ton and a half to get a ton of 65 inch  
14 fish. So, I would assume that the reverse would  
15 be the same if you were taking 30 inch fish and  
16 converting them to 73 inch fish. You know, they'd  
17 be so many heads in a ton of 30 inch fish, so many  
18 heads in a ton of larger fish. I mean, there has  
19 to be a biological ratio there that scientists  
20 would figure out the right number.

21 MR. BROOKS: So, let us note this. It  
22 sounds like something that the Agency is

1 interested in looking at. I want to take one more  
2 comment on this. Mike or Steve. Mike, okay. And  
3 then I want to turn to the Marlin 250 limit.

4 MR. PIERDINOCK: Thank you. In the  
5 interest of time, Allen, Weiss, I agree with you  
6 100 percent with the bigeye. What Rick Bellavance  
7 said, agree with him 100 percent and what you  
8 said, Rick Weber about bigeye, I agree  
9 wholeheartedly. If a recreational angler is  
10 allowed to catch as many bigeye tuna as he wants,  
11 legally he can do that and whatever he wants to do  
12 with it, he or she can do. I have no control over  
13 that. I'm responsible -- well, you're going to  
14 get poachers. So, you're familiar with Carlos  
15 Raphael in New Bedford. Okay. There are  
16 poachers, I'm not going to go down that road.  
17 There are poachers commercially and  
18 recreationally, so. What I would like to say --

19 MR. BROOKS: Hang on let's just move on  
20 here.

21 MR. PIERDINOCK: One last thing is that  
22 there is a historic bluefin tuna fishery for the

1 recreational -- it started with the -- bluefin  
2 tuna historically started with the recreational  
3 fisherman in the Gulf of Maine. It started back  
4 in the 1920s with guys wearing suits and ties  
5 catching monster bluefin tuna. We historically  
6 were able to catch them and sell them. We sold  
7 them for years. Recreationally as a charter boat  
8 or recreationally we could sell them.

9           And then when the '70s came along or  
10 before that, the commercial fleet would laugh at  
11 us because we got pennies to the dollar and it  
12 would dog food and cat food. When the price when  
13 up and now Japan all of the sudden wanted a few  
14 dollars a pound, the commercial fleet was born.

15           So, I want to make sure that the  
16 historical recreational fishing from a  
17 Charter/Headboat standpoint, we continue to have  
18 access to that. And for those that want to  
19 eliminate our ability from a Charter/Headboat with  
20 a commercial endorsement standpoint to catch and  
21 sell fish is inconsistent with our historic  
22 bluefin tuna fishery going back to the early

1 1900s.

2           In addition, and as I said earlier,  
3 we're in a different and a unique situation from  
4 Marshfield, from the Cape and Marshfield on up.  
5 We have nothing but bluefin. We need that with  
6 our Charter/Headboats. We need the ability to get  
7 that fish. And as I said, Tom D'Persia from  
8 Marshfield was one of the persons that brought  
9 that forward and nothing has changed. We still  
10 need to be able to continue to do that. So, those  
11 that no longer want to do that, it's inconsistent  
12 with our history and inconsistent with the need  
13 for us to survive.

14           Lastly, we did have a tag program.  
15 Steve James implemented it in Marshfield and he  
16 sat here before me. There seems to be a history  
17 of leading the way with Tom D'Persia and Steve  
18 James with the tag program. You're right, the  
19 money wasn't there, that's a problem, there's not  
20 the money to implement it.

21           Now, I'll use New Hampshire as an  
22 example. Last one, New Hampshire is an example.



1       Let's look at their PSEs, they're ridiculously  
2       high because they don't have the money in order to  
3       do an appropriate number of surveys on fish. So,  
4       the problem that we have here is that the states  
5       need to step up, they need to get more people at  
6       the plate. And whether that's at the federal  
7       level to give them more level or at the state  
8       level to do more dockside intercepts to get better  
9       data. Commonwealth of Massachusetts does it, New  
10      Hampshire doesn't. PSEs are sky high, they're  
11      data is worthless. And that's with a shoreline  
12      similar to Maryland that there are not many miles  
13      there.

14                So, we need the money to do it. So, we  
15      can talk until we're blue in the face and nothing  
16      is going to happen and we're going to be talking  
17      about this years later. But unless the money is  
18      brought forward to come up with something, it's  
19      not going to change.

20                MR. BROOKS: Okay. Guys, can I ask for  
21      no crosstalk. David, it's really hard to hear.  
22      Thanks.

1                   MR. HUTT: And one thing I just want to  
2 clarify. When it comes to the high PSEs in New  
3 Hampshire, I mean, that' MRIP, that's not the LPS.  
4 Massachusetts puts in more money to do more APAIS  
5 sampling. We're the ones forking out all the  
6 money for all the LPS stuff. And, I mean, those  
7 PSEs are still fairly good in New Hampshire as  
8 they are in Massachusetts.

9                   MR. PIERDINOCK: If the PSEs are  
10 appropriate, then why are there concerns around  
11 the table that you can't manage the stock  
12 appropriately. Because the department feels that  
13 the PSEs are appropriate for bigeye and these  
14 other species, right, there needs to be no  
15 changes, correct?

16                   MR. HUTT: I mean, all I can speak to is  
17 our LPS data which has fairly decent PSEs for most  
18 of these species. MRIP is another thing entirely  
19 but we're not even using that for these species up  
20 in your neck of the woods.

21                   MR. BROOKS: So, let me just note, I'm  
22 going to move us on here. I mean, clearly there

1 are a range of opinions on bigeye tuna and how  
2 that should be handled. But I think we heard very  
3 clear signals around on post-release mortality.  
4 Education is supported and good and smart.  
5 Probably not getting ahead of ICCAT is also  
6 supported around the table and some interesting  
7 ideas for at least exploring whether or not one  
8 could increase the trophy bluefin allocation. But  
9 I'll put that as just in the explorer and see if  
10 there's something to be done there.

11 With that, I want to turn to the Marlin  
12 250 limit. Let's get some comments on this and I  
13 think the question and the issue is here is that  
14 the landings are increasing. You know, just sort  
15 of stay the course or is there something that the  
16 Agency should be thinking about, is there  
17 communication that needs to be happening with  
18 folks who are fishing and understanding that there  
19 is a limit and what might happen or what might be  
20 options. Rick.

21 MR. WEBER: Much like we were talking  
22 about sharks earlier, we may be victims of our own

1 success. You know, we've been tracking the  
2 mid-Atlantic CPUE for for 28 years. And although  
3 there are vacillations, it's constantly going up,  
4 you know. The white we're catching, more white  
5 Marlin per day per boat on a consistent basis.  
6 So, moving towards 250 doesn't surprise me at all  
7 really.

8                   And I've sat here for a long time and  
9 never really tried to protect myself or my  
10 industry but I think it may well be time. And  
11 that is, we've talked about what good economic  
12 engines tournaments are. What good scientific  
13 engines are. What good PR engines tournaments  
14 are. If we have to do something and you do not  
15 presently have it in your rules, we need to do  
16 something to protect the tournaments. They need  
17 to be a priority as that scale down occurs.

18                   Because much like we're heard with  
19 charter boats and others, we're planned a year  
20 out. And it was a very compelling argument when  
21 the charter boats said, how am I supposed to book  
22 somebody when I don't know if I'll be able to take

1 that charter. If we are staring down the barrel  
2 of a zero bag limit these events are over. And,  
3 you know, the two big ones locally are in August.  
4 You know, so I can't tell you what else is going  
5 to happen through the year. But I think it's  
6 something you all need to be concerned about right  
7 with me.

8 Happy to engage, happy to come with  
9 ideas, any number of things. Maybe it's done with  
10 a carryover, I don't know. Where we get through  
11 one year and pay it back the next year, I don't  
12 know what it needs to be but it can't be that we  
13 hit the second week of August and close white  
14 Marlin. That we can't do.

15 MR. BROOKS: Thanks, Rick. Pat, do you  
16 want to weigh in on this one?

17 MR. AUGUSTINE: Yeah. I fell asleep  
18 earlier because you ignored me and so now, you're  
19 going to ask me the question and I'm not sure I  
20 have a question but I'll try. What is the actual  
21 status of the billfish we're talking about here?  
22 Dr. John might be able to tell us that. We're

1 talking about a concern of going over the 250.  
2 But in your opening statement, you say current  
3 regulation provide options for in season  
4 management. So, why is there an issue.

5 So, what's your projection for when  
6 we're going to go over 250? We increased by what,  
7 18 to 20 percent this past year? I'm looking at  
8 your chart and your chart tells me that we still  
9 have a long way to go. So, can you give any  
10 projections as to when it's likely to go over with  
11 the constraints of release we have right now? Or  
12 maybe Dr. John could give us a clue as to where we  
13 stand with white Marlin, blue Marlin rounds goes  
14 as to whether we need to really address this at  
15 this point in time.

16 MR. BROOKS: I think the question is how  
17 immediate is this an issue.

18 MR. AUGUSTINE: Yeah.

19 MR. BROOKS: John.

20 DR. GRAVES: Well, you get what you paid  
21 for, it's \$50,000. No. So, those -- the data  
22 that are up there are probably what, second

1 quarter data?

2 SPEAKER: Through June 30th.

3 DR. GRAVES: Okay second quarter data.  
4 So, since that time, you're getting your major  
5 white Marlin tournaments. So, you had the White  
6 Marlin Open which had 67 or something. I mean,  
7 they had a lot of boated fish, much more so than  
8 normal. And the mid-Atlantic had about 30 whites,  
9 round scales, blues combined, something like that.  
10 So, you add, you know, 100 fish to what's up there  
11 and plus yeah. Some of the other tournaments  
12 don't really land too many Marlin and I don't know  
13 what the rest of the season is. But it's that big  
14 pulse in August where a lot of the fish that go up  
15 there are. So, I don't think we're going to go  
16 over it but I think we're coming up to it.

17 MR. AUGUSTINE: A follow on question,  
18 thank you Dr. John. But a follow on question  
19 would be if that's true then let's go back to your  
20 first follow on statement that says that your  
21 current regulation is to provide options for  
22 management and you could adjust from the size of

1 the 117 to 138 down to 70 to 79. So, what is the  
2 major concern to create another tool for your box  
3 that you already have the ability to deal with?

4 MR. BROOKS: I think I'll turn to Agency  
5 folks. But I think what they're looking for is  
6 yeah, there are some tools. Are some of those  
7 tools more appealing than others or should they be  
8 thinking about other tools as well.

9 MR. AUGUSTINE: That's the question.

10 MR. BROOKS: That's the question they  
11 are putting out to you all.

12 MR. BLANKINSHIP: Yeah, I'll just speak  
13 to this once again by putting this thought out.  
14 These are the tools we have available to us. As  
15 you can see, they could be quite effective at  
16 managing the situation by increasing the minimum  
17 size limit as we progress through the season.  
18 That could be an option, fully recognizing that  
19 there would need to be discussion about all that  
20 probably as we get ready to do it. And how that  
21 plays in with some tournaments that have their own  
22 minimize size limits that are already higher and



1       so they're already working to try to reduce the  
2       amount of landings that they might have.

3                       But then, I think, that there's also  
4       open for discussion is the role that the anglers  
5       actually play in this as well in that catch and  
6       release ethic and that may occur in some  
7       tournaments. And so, you know, is there a role, I  
8       would ask the question, is there a role to be  
9       played within the recreational community that  
10      wouldn't be regulatory which is to look at  
11      reducing the number that brought to the dock.  
12      Even in a kill tournament, we're not talking about  
13      actually eliminating that but potentially looking  
14      at reducing the number that are brought to the  
15      dock. That could be a piece of it too. We're  
16      talking about a difference in just a few fish  
17      here.

18                     MR. BROOKS: Thanks. I want to let --

19                     SPEAKER: John wants to respond to that.

20                     MR. BROOKS: Yeah, I was going to let  
21      John and then Rick and then we need to get to  
22      public comment and then we can come back.

1                   DR. GRAVES: I'll be brief. I think if  
2                   you look at the tournaments that the release  
3                   percentage is still upward of 97, 98 percent even  
4                   when there are millions of dollars on the line.  
5                   So, I commend the recreational anglers. The catch  
6                   and release ethic they've embrace heavily. Circle  
7                   hooks when they realized there was a big  
8                   difference in post-release mortality, they've done  
9                   it. Taking the fish out of the water, not as good  
10                  as compliance as some of the other ones. And that  
11                  certainly impacts post-release mortality. But,  
12                  you know, my credit to the industry for really  
13                  promoting those things. But you do have the means  
14                  just to increase the minimum sizes and as was  
15                  noted, tournaments, some tournaments are already  
16                  doing that.

17                  MR. WEBER: We're talking raw numbers  
18                  here and we're probably not being fair to the  
19                  White Marlin Open because it sounds like they were  
20                  so high. They had 404 boats in that tournament  
21                  this year. These fleets are getting larger as  
22                  well. And as John said, when I'm talking about my

1 CPUE going up it is the release CPUE that is going  
2 up right with it, possibly even higher. So, that  
3 is a fact. I think I've gone and distracted  
4 myself by those points. I really did.

5 Oh, the rules. My recollection of the  
6 rules is that there is some hard code in there  
7 that doesn't kick in until 80 percent. And then  
8 there is a hard code in there that says if it is  
9 fully caught, that you are pretty much compelled  
10 to drop to zero. I don't remember the discretion  
11 in there that I wish is there but that may be my  
12 memory of it going through a long time ago.

13 Along those lines, because you have also  
14 hardcoded the size of blue Marlin, at 117 that is  
15 a really big blue Marlin for this region. I wish  
16 that you had -- I don't know why you didn't give  
17 yourself the flexibility to step it up all the way  
18 from 99. I don't know what happened to those  
19 other 18 inches. Like if we're going to jump,  
20 we've predetermined that we're going to jump to  
21 117. I don't understand that. And so, if you're  
22 going to give yourself flexibility, give yourself

1 plenty.

2 MS. CUDNEY: Can I?

3 MR. BROOKS: Yeah, please go ahead,  
4 Jenn.

5 MS. CUDNEY: Okay just to on the one  
6 point about the hardcoded threshold. We actually  
7 don't have a hardcoded threshold at 80 percent or  
8 whatever. That's more for some of the other  
9 species that we manage.

10 MR. BROOKS: Great. I want to hit pause  
11 on this conversation. We'll come back to, we have  
12 maybe four other topics that we could potentially  
13 hit that you put on the table before. But I do  
14 want to pause for public comment. Again, I think  
15 I saw three, how many people for public comment?  
16 All right, so let's take them one by one. Anyone  
17 who wants to make a public comment just if you  
18 would come up to the table by a mic. Greg, we can  
19 start with you.

20 MR. DiDOMENICO: I'll pass.

21 MR. BROOKS: You'll pass, okay. Next  
22 public comment come up and just start with your

1 name and affiliation, thanks.

2 MR. SPARKS: Yeah, so Brett Sparks on  
3 behalf of Blue Harvest Fisheries. I wish I'd had  
4 the opportunity to talk about this when we were  
5 discussing Amendment 13 specifically related to  
6 the purse seine allocations. Essentially, Blue  
7 Harvest would hold that getting rid of the purse  
8 seine allocation at this point in time would be  
9 premature. It's essentially been based on a lack  
10 of participation from that industry.

11 But since 2016, Blue Harvest has been  
12 attempting to acquire three of the five permits in  
13 that category. Due to some regulatory impediments  
14 with actually transferring vessels and permits,  
15 they've been unable to fill that quota but we are  
16 working with NMFS at this time to rectify that to  
17 actually acquire the permits. So, again that'd be  
18 three of the five traditional permits.

19 Blue Harvest is ready and willing to  
20 participate. I know I heard comments on, you  
21 know, being ready to wear the uniform and be on  
22 the bench and get into the game. That's what Blue

1 Harvest is trying to do with the purse seine  
2 quota.

3 So, at this time with Amendment 13  
4 looking at potentially phasing that industry out,  
5 that's just premature. And really once Blue  
6 Harvest has those permits and are cleared to go,  
7 at this point, it would really just be an economic  
8 allocation which we know cuts against National  
9 Standard V. So, we just feel like, you know,  
10 taking that off the table, no action at this time  
11 on the purse seine fishery would be best.

12 MR. BROOKS: Thanks very much,  
13 appreciate it. I think there was another  
14 commenter. Again, if you could come to the table  
15 and name and affiliation, thanks.

16 MR. KNEEBONE: Sure, hello everyone. My  
17 name is Jeff Kneebone. I work at the New England  
18 Aquarium in Boston. I have a bunch of things that  
19 I'd love to grab anyone of your ears to talk about  
20 but I'll pick two of my favorite topics here. So,  
21 one of them will kind of jump off of what Greg  
22 introduced with the idea of targeting prohibited

1 shark species.

2                   So, I just recently began a BREP funded  
3 study looking at post-release mortality of sandbar  
4 sharks that are targeted in Massachusetts by shore  
5 based fisherman. And I've been able to do a lot  
6 of outreach. Like Rick was saying, we've had a  
7 lot of great buy-in from the fisherman. They want  
8 to fish responsibly but they have a lot of  
9 questions about regulations. And I know this  
10 transcends the federal state barrier, maybe people  
11 can weigh in here. But there's a lot of confusion  
12 among the anglers about regulations both at the  
13 state and federal level. So, can they target  
14 prohibited species, sandbars, sand tigers,  
15 specifically. And to go along with that, there's  
16 a lot of question about permitting.

17                   So, I've had people ask me, okay do I  
18 need an HMS permit to fish from shore for sharks.  
19 And I actually clarified this with Craig a couple  
20 of weeks ago and realized and just confirmed what  
21 I knew in that you do not since you do not have a  
22 vessel. But I just wanted to bring that point to

1 the attention of the group here because, you know,  
2 these fishermen are targeting species that  
3 otherwise require people to have an HMS permit to  
4 target.

5 We're talking about getting outreach  
6 into the hands of these fisherman, you know, with  
7 their permit applications. Bringing them into the  
8 mix where you may be losing a sector here where if  
9 people are fishing in state waters don't need an  
10 HMS permit, they may not be getting that outreach  
11 that they need. Especially in a fishery that  
12 others have shown is, you know, kind of finicky  
13 when it comes to post-release mortality in terms  
14 of the way that the fish are being handled. So, I  
15 just wanted to kind of bring up that point of  
16 maybe reconsider trying to figure out a way to  
17 realize if a permit is needed for land based shark  
18 fishing which is increasing in popularity along  
19 the coast.

20 And then the second one I might be naïve  
21 to this and I'd love to just ask some questions  
22 about it. I'm very interested in the idea of



1 recreational reporting for like the angling  
2 category for HMS. Someone brought up the idea of,  
3 you know, the power of social media, I think it  
4 was Dewey before with the texts. A lot of  
5 fishermen take photos of their catch. I've heard  
6 that it's been used by enforcement to kind of pick  
7 out on non-compliance issues.

8           So, I'm wondering if there's been  
9 consideration of harnessing that same power for  
10 reporting. So, if HMS permitted anglers instead  
11 of having to go through all this tedious reporting  
12 if you could snap a photo that they're already  
13 doing perhaps anyway of their catch. And then use  
14 some type of photo recognition software algorithm  
15 to try to parse out the data for species  
16 specificity. So, that's more of a question and  
17 doesn't have to be answered now but I just would  
18 love to talk to anyone about it to learn more.  
19 Thank you very much.

20           MR. BROOKS: Great, thank you very much,  
21 appreciate it. Anyone else in the room wishing to  
22 make any other comments? Okay if not, let's go

1 back to our rec conversation. So, I think we've  
2 got four different items still that were raised  
3 around the table.

4 One was around, if we could talk about  
5 recreational reporting in the use of an app and I  
6 don't know if we've sort of glanced against that.  
7 I don't know if there's more to cover there.  
8 Interest in an update on the safety decal. On  
9 this last point around wanting to better  
10 understand whether it's possible to target  
11 prohibited species, is that allowable and how does  
12 that play out. And then any implementation on the  
13 MRIP policy progress. So, I don't know which ones  
14 you want to take up.

15 MR. HUTT: Let's do the apps.

16 MR. BROOKS: Let's do the apps. So,  
17 let's start with the apps.

18 MR. IWICKI: Okay so, you know, Brad,  
19 you and I have been talking for years about the  
20 catch report app. I will tell you that I have yet  
21 to find a person walking the docks when I'm out on  
22 different boats, different marinas that has any

1 resistance to using it, okay. Now most of them  
2 don't know about it so that's part of the  
3 challenge there too. Part of it too is we should  
4 have every reportable fish in the menu to pull  
5 down rather than just the five that are in there  
6 right now.

7           So, I will tell you a radicle idea that  
8 I think will work. Treat it like a credit card.  
9 When you get your permit, your credit card comes  
10 in the mail. What do you have to do, you've got  
11 to activate it. Activate it by setting up your  
12 account on the app for the reporting so your  
13 permit number is in the system. If they don't do  
14 it the next year, you can hold that against them  
15 if you wanted to issue another permit.

16           But what I have found is people I have  
17 no problem -- everybody has got probably ten  
18 fishing apps on their phone in this room, you  
19 know, weather, everything else. They have no  
20 problem doing the reporting on the rec side that  
21 I've been around and I've talked to at least 100  
22 people this year alone. The problem is, they

1 don't know about and then how do they use it if we  
2 don't have all the categories there. With the  
3 shark endorsements, maybe sharks should be added  
4 too, you know, those kinds of things.

5           But if you use the app as a second way  
6 to activate your permit, by the permit number,  
7 then you would probably potentially have 20,000  
8 users. And best I can tell, the app was done once  
9 and kind of hasn't been updated. I can't tell for  
10 sure because when I go in my settings, it doesn't  
11 show up at all to tell me what the name of it is  
12 and when the last time it was updated. But I  
13 generally watch the updates so a couple little  
14 tweaks are all that's needed to the app. It's  
15 very cheap for them to fix, add a couple more menu  
16 choices.

17           But I would say, consider tying the  
18 permit to the app, at least to create the account.  
19 You can't force them to do their report but that  
20 way they've created the account, they have  
21 knowledge of it, you've educated them and it's  
22 fairly easy to use.

1                   MR. BROOKS: Interesting thoughts Steve,  
2                   thanks. Let's go over to Fly and then over to  
3                   Marcus.

4                   MR. NAVARRO: There's a couple things I  
5                   want to talk about and thank you Rick, for kicking  
6                   me under the table. It's the overall recreational  
7                   fishery that I'd like to talk about and the  
8                   outreach on it. First of all, this gentleman in  
9                   the back that spoke up for public comment, he had  
10                  a great question. There's a lot of people that  
11                  don't even know what HMS is. I know as I travel,  
12                  not just here in this country but around the  
13                  world, most people don't know we have a managing  
14                  body.

15                  So, I think there's a lot to be said for  
16                  HMS. You guys were saying that you had been to  
17                  four different tournaments this year. That's a  
18                  great start but there's so much more we can do.  
19                  Not just you guys as a board but all of us that  
20                  are apart of it.

21                  Communication. I know earlier today  
22                  when we were talking about sharks and how they eat

1 our catches on the way in. I posted two sentences  
2 on social media. I have since reached, I don't  
3 know, maybe 200 photos sent to me and about a  
4 dozen videos which I've already forwarded on and  
5 that's just in a few hours. I was able to do that  
6 without sending people up and down the docks. It  
7 cost me no money, it cost the AP no money other  
8 than me being here. There are ways, there is  
9 technology now to reach every single fisherman.

10           There is something you said about  
11 requiring fishermen. I understand as a commercial  
12 guy, you are required to do a lot of things. You  
13 can't require people to do a lot but I would say  
14 most fishermen want to know. I was fortunate  
15 enough to be allowed to use two scientists from  
16 National Marine Fisheries and I produced 18 or 19  
17 videos on all the billfish and all the tunas in  
18 the Atlantic.

19           I haven't put them out yet but when I  
20 put out these videos, the fishermen, never mind  
21 gravitate toward them, they want to know. They  
22 want to know about our fishery. They want to know

1 everything about it. It's not uncommon for me to  
2 put a video out and get 100, 150,000 people in 24  
3 hours. That's a lot more than the booklets you  
4 guys are putting out. And you can reach back out  
5 to them with social media.

6           Once you put out a booklet and it gets  
7 put in a captain's bag, and I'm not trying to  
8 throw you under the bus, Rick, but how many people  
9 read that book. Can you give that back to the  
10 board? Can you say, well I gave out 200 books and  
11 56 percent were read. But if you put it out on  
12 the tools that are out there in social media, you  
13 can actually go back and you can see how many  
14 watched it, how many people liked it, how many  
15 people commented on it.

16           Give them more information. Give them  
17 more information of what HMS is really about. And  
18 it offers up transparency. In some of the  
19 comments, and you guys are more than welcome to  
20 look at the comments, some of them were very  
21 negative about HMS. Don't give them your  
22 information because they're going to use it

1       against you.

2                    You know what, if you're talking to them  
3       on an everyday basis, it's very, very easy for  
4       them to suddenly feel a connection with you.  And  
5       when they have that connection, they don't feel  
6       like you're trying to use it against them, you're  
7       just trying to assess a stock and find out what is  
8       best for our fishery.  So, I think that is very,  
9       very important.

10                   And then also, continuing education.  
11       Somebody brought up about the fish being pulled  
12       out of the water.  And I see it on a daily basis.  
13       And I'm working with the Billfish Foundation right  
14       now to do proper videos on handling these fish.  
15       But it would be so easy for you guys as either HMS  
16       or law enforcement just really easily comment.

17                   Hey guys, I don't know if you know this  
18       but it is against federal law to pull that fish  
19       out of the water.  We're not hitting you up with a  
20       fine, we're just educating you and letting you  
21       know.  Use the tools that we already have that  
22       everybody uses on an every day basis to reach out



1 to people. That's pretty much what I've got to  
2 say.

3 MR. BROOKS: Thanks, Fly. Marcus.

4 MR. DRYMAN: Thanks. Yeah, I just want  
5 to say, I think Steven's comment about the credit  
6 card. Using the analogy of the credit card is  
7 probably the most clever thing I've heard all day.  
8 That's a great idea, just for the record. Also,  
9 what Fly is saying too kind of resonates. I know  
10 it's not HMS but we've been putting out satellite  
11 tags on tarpon and we put out these maps showing  
12 the tracks. And I was, I'm not a big social media  
13 guy but my grad students are. I was shocked the  
14 first time we posted a map we had 50,000 views in  
15 one day.

16 And these anglers, they hold each other  
17 accountable. You know, if there was ever an image  
18 of a guy holding a tarpon up out of the water, I  
19 wouldn't have to say anything. No one from NMFS  
20 or the state government would say anything. All  
21 these other anglers, you know, they are incredible  
22 advocates for some of the species they fish for,

1 not all of them, of course. But mostly just  
2 wanted to say I thought that idea was really good.  
3 The activation thing, it was awesome.

4 MR. BROOKS: Good. Rick.

5 MR. WEBER: I also like Steve's idea.  
6 I'm going to give you three more ideas on top of  
7 it. Can they get a digital version of their  
8 permit that it would be acceptable to OLE?  
9 Because if that digital version of their permit  
10 lived in the app, they would all have the app  
11 because who is going to risk not having their  
12 paperwork if a digital version of their permit  
13 lives in their app.

14 Next is location services. When they  
15 pick their inlet, send them a push notification  
16 when they come through that inlet that says report  
17 your catch. Location services are easy, you'll  
18 know right where they are, hit the GPS, you've  
19 come back in. Every time they pass through that  
20 inlet, you know, send them a thing that says, you  
21 know, if you're on your way back in, please  
22 report.

1                   And finally, we were sitting here  
2                   saying, you have done a lot with enforcement. But  
3                   once again, once you get the app on their phone,  
4                   push notification just as means of communication.  
5                   Skipping text, skipping email, send it straight to  
6                   the phone. We all look, you know, whether it's  
7                   text or push notification. So, there is three  
8                   more to make this thing more valuable to them and  
9                   more valuable to you.

10                   And all in all, given I think what we're  
11                   all collectively saying is if you can afford and  
12                   find a way, an outreach office that focuses  
13                   primarily on a -- I was wondering about that,  
14                   Brad, I was wondering. But yes, it's a good  
15                   investment, it's a very good investment. Because  
16                   having someone that's actually spending full time  
17                   in communication rather than management is huge.

18                   MR. BROOKS: Thanks Rick. Let's take  
19                   one more comment on this one. Mike, is that your  
20                   card up?

21                   MR. PIERDINOCK: Steve's idea is a great  
22                   idea. I'm curious from a timing and a logistics

1       standpoint, I apologize being the private sector  
2       because I think that things can happen like that.  
3       So, that you first have to identify the app that  
4       you're going to use. Then you've got to go out  
5       and procure it and see who is going to bid on it  
6       to get it. Then somebody has to maintain it.  
7       Then I'm assuming the initial purpose of this app  
8       is, is that it's just for informational purposes.  
9       This is the species, this is where you can land it  
10      and it and so on. That has to be correct. And  
11      then the next step would be to use it for stock  
12      assessment.

13                   The fact that we can't get a U.S. Coast  
14      Guard the sticker designation online to do the  
15      same thing for the commercial. You know, charter  
16      boat, vessels with commercial endorsements, it  
17      concerns me that we have this discussion and  
18      therefore, we can't do that. What would be the  
19      estimated timeline for this great idea?

20                   MR. WEBER: That app right there?

21                   MR. PIERDINOCK: Right. To implement  
22      this.

1                   MR. WEBER: That exists.

2                   MR. PIERDINOCK: And maybe Randy, you  
3 can help because I believe that there is a species  
4 in Florida that the State of Florida reports the  
5 specific species on an app. But it's not used for  
6 stock assessment purposes, it's used more for  
7 information purposes and initially for effort  
8 because of the problem with using with stock  
9 assessment. So, timeline standpoint, I'd be  
10 curious. Because these are great ideas, once  
11 again, we need to take it to the next step and the  
12 recreational community needs to be put a little  
13 higher on the pecking scale of implementation.

14                   MR. BROOKS: So, I'll hand it to these  
15 guys. I don't know if they're going to have a  
16 timeline for an idea that was just put on the  
17 table seven minutes ago. But if you want to weigh  
18 in at least on any thoughts on this, I invite you  
19 to do so.

20                   MR. BLANKINSHIP: So, I think you were  
21 referring to iSnapper or one of those reporting  
22 apps for snapper in the Gulf of Mexico. In that

1 regard which is a limited, you know, use  
2 application although it has had some, I think some  
3 good results. We do have our own example within  
4 the Agency of developing a reporting app and I  
5 want to let Brad speak to this about timeline.  
6 Because we've gone through this already although  
7 it's still open for discussion about improvements  
8 and all that.

9 MR. MCHALE: All right, put me between  
10 you and beer, your call. So, a couple thoughts  
11 from what I'm hearing around the room. Rick, to  
12 your point of where Agency funds are invested to  
13 make progress in capitalizing on the strength of  
14 technology. I believe the Agency and the Office  
15 of Sustainable Fisheries has done that. And we're  
16 gravitating but I think you all can recognize, we  
17 are a federal Agency. We are way behind the curve  
18 and in all likelihood, we'll continue to be behind  
19 the curve.

20 I know Cliff and I just had the  
21 opportunity the National Recreational Coordinators  
22 Meeting out in Honolulu, Hawaii where

1 representatives of all the different geographic  
2 regions of the Agency met. And we actually had a  
3 few individuals from the private sector come in  
4 and want comments on their application  
5 development. And, I think, across the nation in  
6 the Agency, there is this ongoing debate of who is  
7 the developer.

8           Do you really want the National Marine  
9 Fishery Service developing and maintaining the app  
10 know all the bureaucratic hoops and inconsistency  
11 and funding and behind the curve that we already  
12 are? That we're not on YouTube, we're not putting  
13 together that. Like I may not be able to get even  
14 the proper approval to then even comment on posts  
15 like that.

16           Because we are a federal agency, it's  
17 not Brad McHale's voice, it's the National Marine  
18 Fishery's voice. All right, there's a  
19 communications department. So, there are hoops  
20 that we jump through versus those in the private  
21 sector don't necessarily have to run up against  
22 those same things. Doesn't diminish the value. I

1 think we're just behind the curve and I think  
2 we're on the curve but we still have a ways to go.

3 As far as the application that we do  
4 have in play, you know, I think Steve that's the  
5 one you were just referring to. Yeah, we have it  
6 developed. Is it the most user friendly, no. Is  
7 it version 1.0, yes. Do I know when 1.2 is coming  
8 out or 2.0, I don't. Because then that's funding,  
9 that's contracting, that's bidding. You know,  
10 there's the whole internal mechanisms that need to  
11 push that forward. I think the credit card idea,  
12 like everyone around the room, I think that's a  
13 phenomenal idea and I think something that will  
14 garner a lot of attention.

15 I wouldn't have a timeline on like to  
16 take your point, Steve, of like, you know, it  
17 doesn't have all the species that I may catch.  
18 Well yeah, we're the HMS management division. Our  
19 mandate is tunas, sharks, swordfish, billfish.  
20 So, all of the sudden, if I'm going to then direct  
21 a contractor to develop an app for the HMS  
22 management division, that's really the



1 constraints. What are our obligations. Were they  
2 from ICCAT, were they in regards to the FMP versus  
3 flip the script, I am now a recreational  
4 fisherman. I want to be able to report in one  
5 place and this gets to Rick's thing. Whether it's  
6 commercial or recreational, one place.

7 That is actually even a higher bar for  
8 we as an Agency to try to capitalize on of meeting  
9 that need of all constituents in one application  
10 and then keeping it live and relevant. We just  
11 cannot, in my almost 20 years' experience, respond  
12 and react as much as the private industry can when  
13 it comes to those sorts of developments. I don't  
14 know if I'm answering the question but just kind  
15 of sharing kind of what some of my experiences and  
16 challenges are in trying to meet those  
17 obligations.

18 I mean, case in point. Trying to get  
19 even in our commercial fisheries as Mike had  
20 mentioned is so he doesn't have to report his  
21 ground fish trip and maybe the bluefish he caught  
22 as well as that tuna, you know, in multiple

1 places. Even on the commercial side, we haven't  
2 been able to get the Southeast, the Northeast or  
3 should I say GARFO and HMS all in the same place  
4 to have that consolidated.

5 So, that's a pretty strong indicator of  
6 the glacial pace sometimes we as a federal agency  
7 are moving at. Doesn't mean we're not aware of  
8 it, doesn't mean that we don't have the same  
9 desire to gravitate in that direction. But  
10 sometimes just the challenges of being the federal  
11 government and an organization that has multiple  
12 needs can bog us down. I think I'll stop there.

13 MR. BROOKS: Good. I think we had one  
14 or two more comments on this. We've got David and  
15 then over to Rick. And we have, if you all have  
16 the perseverance to stick through two more issues,  
17 we've got two more quick ones to run through.  
18 David.

19 MR. SCHALIT: We are reporting in the  
20 General category and the Harpoon category, we are  
21 reporting our catch right now on this app and it  
22 works just fine. Really just fine, it does its

1 job but it's specific to that species we're  
2 referring to.

3 Okay so my opinion, the federal  
4 government it's not their strong suit to develop  
5 software. And whenever they develop anything,  
6 they have to use private sector developers, right,  
7 who have to meet all these regulations. I have no  
8 idea what that's going to be like and they're  
9 definitely not getting the lowest prices.

10 So, if the recreational community is  
11 interested in a robust app that does it all, you  
12 know, for HMS species. The easy way to do this, I  
13 mean, the much easier and quicker and faster and  
14 more accurate and more well-designed way to do  
15 this is to do this work in the private sector and  
16 license it to NOAA. Very simple, right.

17 So, you'll get your costs back  
18 eventually and it's not even that expense to  
19 develop apps, by the way, it really isn't. So, if  
20 you want something that you're going to be happy,  
21 you, you the fishermen are going to be happy with,  
22 that's the way to do it. Don't wait on NOAA to do

1       it for you.

2                   MR. BROOKS: Thank you. Rick.

3                   MR. BELLAVANCE: Thanks. Just a quick  
4       response to Brad. I appreciate your comments. I  
5       think you're spot on. I don't necessarily think  
6       it's the National Marine Fishery Service  
7       obligation to build an application. I think the  
8       private sector is much further ahead in  
9       technology, they can do a faster job and they can  
10      do it a lot cheaper.

11                   But I do think it's incumbent upon the  
12      Agency to create standards that these companies  
13      build to so that those apps are all doing the same  
14      thing. And it doesn't matter whether you use  
15      vendor A or B or C, they're all speaking in the  
16      same way so that all that data gets used for  
17      whatever purpose it needed to be used for.  
18      Whether it's an assessment or whether it's catch  
19      accounting or whatever it might be.

20                   I think that's where the Agency's role  
21      is, is letting the developers know the information  
22      they want, how they want to get it and all on a

1 standardized platform so that they can all talk to  
2 each other. Right now, I think it's scattered all  
3 over the place and that would be, in my opinion,  
4 the best way to spend your resources.

5 MR. BROOKS: So, Turbo Tax has figured  
6 this out for taxes, for example.

7 MR. HUTT: So, ACCSPs API behind eTRIPS,  
8 SAFIS eTRIPS is public. They will share that with  
9 any private company that wants to develop their  
10 own app and add their own bells and whistles. But  
11 as you set up where data where automatically  
12 downloaded in ACCSPs system.

13 And there are several apps that have  
14 been developed by different groups. The, you  
15 know, the for-hire captains that are reporting  
16 through eTRIPS have the option of using. So, I  
17 know, that's out there and now that we're building  
18 in the HMS data elements that we need for our  
19 reporting to do that, I would say if you're  
20 thinking of doing this in the private sector and  
21 adding extra, you know, functionality to it, go  
22 that route with ACCSP and you'll have everything

1       you need to make sure we're getting the data we  
2       need.

3                   MR. MCHALE:    So, we're going in that  
4       direction already of getting out of the app --  
5       providing those specs and then letting folks build  
6       off of that and capitalize whatever strengths they  
7       have versus, you know, the Agency trying to do it  
8       all.  So, we're going in that direction.

9                   MR. BROOKS:   Dewey, last brief word on  
10      this one.

11                   MR. HEMILRIGHT:  Yeah, does the Agency  
12      right now have something that a private industry  
13      can come to you?  You said you pass them a piece  
14      of paper, here's the specs we got to have as this.  
15      And if you had a premium one, we'd like this, if  
16      you had a gold standard, we like this and if you  
17      had the all-around, best all-around standard, you  
18      have this.  So, it's like a template for private  
19      industry to develop something right now.

20                   But for this, quite obvious that, you  
21      know, it's going to be a challenge of how large or  
22      small or expensive or not is probably going to be

1 done best by private industry and probably the  
2 fastest, you know, in less than five years. So,  
3 my question is, do you have a template right now  
4 that you could give a private industry person  
5 tomorrow that says this is what I've got to have  
6 to satisfy the Agency.

7 MR. BROOKS: Understood.

8 MR. HUTT: I mean, that's basically what  
9 I was talking about with what ACCSP has. It's not  
10 on a piece of paper because that's not how these  
11 app people, you know, exchange information. It's  
12 all, you know, electronic but yeah, they basically  
13 got it laid out, here's all the data elements that  
14 we need to be able to collect. You know, here's  
15 the different codes we use, all that stuff. And  
16 any app developer can get it.

17 Now, despite that, the vast majority of  
18 fishermen are still reporting either through  
19 GARFOs eVTR app or the majority of them are really  
20 reporting through ACCSPs eTRIPS app. Because  
21 people want to make sure that the one they're  
22 using is the one and has got everything and so

1           they go to the source.

2                       MR. MCHALE: The bottom line is we've  
3           shared that information with ACCSP. A private,  
4           you know, entity could go and capture that and the  
5           requirements to meet our needs are laid out right  
6           there. And however, they design it and whatever  
7           bells and whistles, yeah, we're there.

8                       MR. BROOKS: I just want to say, clearly  
9           this idea has a lot of interest around the table.  
10          It also needs a lot of thoughtful conversation on  
11          how do you move forward. So, I just would sort of  
12          recommend we leave it at that right now and give  
13          the Agency a chance to sort of think about, you  
14          know, is there some group around the table or  
15          others that you bring together and kind of  
16          brainstorm. How can we take what we all think is  
17          a really smart idea and make it viable in this  
18          world. I'm sure people are getting restless.  
19          Safety decal updates, anything there?

20                      MR. MCHALE: Sure. So, although not a  
21          recreational centric issue because there is no  
22          Coast Guard safety inspection of recreational



1 vessels per se. On the commercial side, as we've  
2 discussed around this table, the HMS management  
3 division is collaborating with the Coast Guard on  
4 trying to figure out how we could potentially link  
5 the commercial fishing vessel safety inspections  
6 to the application process. I don't really have  
7 any more details than that but the conversations  
8 are ongoing.

9           There is progress being made which is  
10 kind of taking the feedback you've all received  
11 whether it's the decal number or just keying off  
12 all of the vessel identifier that were in ongoing  
13 collaborations on how to make that happen. So,  
14 that's really kind of the update I have there that  
15 that is not or has not fallen on deaf ears.

16           MR. BROOKS: David.

17           MR. SCHALIT: I just wanted to add one  
18 thing that's sort of parallel to something Brad  
19 just mentioned. I input a fictitious  
20 documentation number into the permit application  
21 online and it took the number.

22           MR. BLAKINSHIP: Falsification of data

1 is --

2 MR. BROOKS: Katie, did you hear that?

3 MR. SCHALIT: I wanted to see if it  
4 would do it.

5 MR. BROOKS: We'll just let Katie handle  
6 it. Mike, I saw your card go up a second ago.  
7 All right, last topic was interested in better  
8 understanding of targeting a prohibited species.  
9 And Randy, I think you wanted to touch on that?

10 MR. BLANKINSHIP: Sure. So, related to  
11 prohibited species and fishing for targeting. So,  
12 in our regulations, we specifically have  
13 authorized catch and release programs for white  
14 sharks, for bluefin tuna in a catch and release  
15 program and for billfish tuna in a catch and  
16 release program. There are other regs that talk  
17 about prohibited species and those regulations  
18 talk about the prohibition on retaining and  
19 possessing.

20 Those regulations and the wording does  
21 not, they do not use the phrasing, "fishing for"  
22 like they do in other places where we require

1 permit for "fishing for" a species. And so, in  
2 that context, with the absence of the wording of  
3 "fishing for", I think there are some allowances  
4 for some of that activity to take place as long as  
5 retaining and possessing don't occur.

6 And I will also reference the  
7 requirements that if a fish is to be released,  
8 that it is to be released with a maximum chance of  
9 survival without removing it from the water. And  
10 so, those are key phrases, I think, that are all  
11 part of this picture of answering this question.

12 In addition, I will say that for sharks,  
13 federal management for sharks is not to the shore.  
14 And so, the state has a role to play with their  
15 interpretation of how they might come -- how they  
16 might interpret their own regulations associated  
17 with possession of prohibited species or fishing  
18 for prohibited species. While the federal water  
19 jurisdiction regulations might be different than  
20 that.

21 So, I hope that provides some clarity to  
22 the situation. And I certainly am open to any

1 further clarification that my colleagues within  
2 the division might want to provide to this.

3 MR. HUTT: I will say in the last couple  
4 of years, we have tried to have discussions with  
5 the Atlantic States Marine Fisheries Commission  
6 about coming up with standardized recommendations  
7 for shore fishing. And because of disagreements  
8 between the different states, depending on how  
9 many of the species you're likely to catch from  
10 shore there, prohibited sharks versus not  
11 prohibited sharks, there's been some difficulty  
12 there.

13 And we were interested and they were  
14 kind of interested and waiting to see how what  
15 Florida was doing, which was implemented this  
16 year, kind of played out. And it's something we  
17 expect there to be additional discussions about in  
18 the next year or so but we're kind of looking for  
19 them to take more of the lead on it.

20 One thing I do want to clarify about  
21 sandbar sharks is they are technically not on the  
22 prohibited species list. Their retention is

1 prohibited because of their stock status outside  
2 of the shark research fishery but that doesn't  
3 mean that will remain the case in the future as  
4 they recover.

5 MR. BROOKS: Thanks. Anybody have any  
6 other issues on the rec roundtable front that we  
7 need to talk about? Mark, God bless you, go for  
8 it.

9 MR. SAMPSON: Okay just a quick  
10 clarification because I thought I had this down  
11 and Randy, you just confused me. As far as  
12 fishing for prohibited species, let's just say a  
13 dusky shark swims up to a recreational fishing  
14 boat. He has no intention to retain that shark,  
15 he would like to catch and release it. May he  
16 drop a bait to that fish, catch it and release it  
17 in the water?

18 MR. BLANKINSHIP: The regulations don't  
19 prohibit that.

20 MR. SAMPSON: Okay good. And then for  
21 white sharks, we said, you know, there has always  
22 been a catch and release fishery. But could you

1 just clarify what the parameters for that are that  
2 would allow somebody to do that.

3 MR. BLANKINSHIP: So, because I haven't  
4 looked at those regs recently, I'm going to let  
5 Karyl speak to them.

6 MS. BREWSTER-GEISZ: So, there are  
7 recreational fishermen using rod and reel are  
8 allowed to go out and target chum for specifically  
9 trying to get white sharks. And so, we do have  
10 charter captains off of South Carolina who  
11 regularly do that and take out customers to go  
12 fish for white sharks and advertise fishing for  
13 white sharks. The only parameter is that you're  
14 using rod and reel and that you do not retain the  
15 shark, you do not remove it from the water, that  
16 you release it unharmed.

17 MR. SAMPSON: I thought early on when  
18 they first became a prohibited species that you  
19 had to be enrolled in approved tagging program or  
20 something in order to engage with white sharks.  
21 Is that not the case?

22 MS. BREWSTER-GEISZ: I don't remember

1       what the regs were back then but that is not the  
2       case right now.

3                   MR. MCHALE:  Yeah, so at one point,  
4       Mark, your recollection is right on.  That at one  
5       point, there were requirements that permit holders  
6       be part of a tag and release program.  I don't  
7       recall the year off hand but there is some  
8       discussion regarding whether or not an uninformed  
9       individual on a vessel that's just tagging the  
10      fish for the first time is going to do more harm  
11      to the fish than not.

12                   And so, it was that cost benefit  
13      analysis of the tagging process versus the  
14      information derived from the tag and then a  
15      recapture.  So, the Agency actually moved away  
16      from requirements of being in a tagging program to  
17      just the catch and release and then encouraged  
18      tagging.  So, that has evolved over time.

19                   MR. BROOKS:  Thanks.  And Kristin, it  
20      was just suggested to me that you might be able to  
21      just quickly share something on Florida shore  
22      based shark program.

1                   MS. FOSS: Yeah. So, we (inaudible)  
2                   sharks from shore. That includes like piers,  
3                   bridges or jetties. They must take this online  
4                   course which just kind of educates them about best  
5                   handling and safety practices as well as  
6                   clarifying that, you know, it requires all  
7                   prohibited species to remain in the water and try  
8                   to delay any sort of release, I mean, prohibit  
9                   delay of release if they are fishing for those  
10                  species. So, just kind of clarifying that, happy  
11                  to provide more information on this educational  
12                  program that we've created if anyone is  
13                  interested.

14                  MR. BROOKS: Great, thanks very much,  
15                  Kristin. If there are no other comments, I am not  
16                  going to attempt to summarize two and a half hours  
17                  of conversation and all the different ideas that  
18                  were put on the table. But I will say just a  
19                  couple of really quick things.

20                  One, I think there was a comment several  
21                  times around the table around hey, maybe what we  
22                  don't have is perfect but it's good and it is way



1 better than anyone else has going. So, first of  
2 all, I acknowledge that. Two, a pretty broad  
3 yeah, but what we have really isn't working for  
4 us. We don't trust the data, we've got to have  
5 something better in place.

6           And then I think a number of different  
7 themes around really redoubling efforts to  
8 coordinate, to piggyback on programs that exist.  
9 Really taking advantage of the emerging  
10 technologies whether that's, you know, videos,  
11 whether those are apps, using social media. The  
12 theme that you can never do too much outreach,  
13 there's tons to be done there. And if people know  
14 what they're supposed to be doing and how to do  
15 it, there's a better chance that they'll actually  
16 follow it. Obviously, eliminating redundancies  
17 and making use of the data that you actually  
18 collect.

19           So, I'll just leave it at that and thank  
20 you all for being so focused over a long day. And  
21 remind folks that we reconvene tomorrow at 8:30 in  
22 the morning. And Randy, I think I'll just turn it

1 to you for any final things you need to say.

2 MR. BLANKINSHIP: I don't think I have  
3 anything final that I need to say except thank you  
4 for bearing with us for a very long session here.  
5 We knew that this might go a little long and  
6 thanks for being here.

7 MR. BROOKS: And just a reminder, no  
8 host social down at the bar. Thanks everybody.

9 (Whereupon, at 6:16 p.m., the  
10 PROCEEDINGS were adjourned.)

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CERTIFICATE OF NOTARY PUBLIC

STATE OF MARYLAND

I, Mark Mahoney, notary public in and for the State of Maryland, do hereby certify that the forgoing PROCEEDING was duly recorded and thereafter reduced to print under my direction; that the witnesses were sworn to tell the truth under penalty of perjury; that said transcript is a true record of the testimony given by witnesses; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this proceeding was called; and, furthermore, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

(Signature and Seal on File)

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Notary Public, in and for the State of Maryland

My Commission Expires: June 7, 2022

