

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

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HIGHLY MIGRATORY SPECIES
ADVISORY PANEL

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MEETING

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THURSDAY
SEPTEMBER 7, 2017

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The Advisory Panel met in the Sheraton Silver Spring, Cypress Room, 8777 Georgia Avenue, Silver Spring, Maryland, at 8:30 a.m., Bennett Brooks, Facilitator, presiding.

PRESENT

BENNETT BROOKS, Facilitator
 JASON ADRIANCE, State Rep
 PATRICK AUGUSTINE, Recreational
 ANNA BECKWITH, Council Rep
 TERRI BEIDEMAN, Commercial
 RICK BELLAVANCE, Recreational
 ROBERT BOGAN, Recreational
 ANDRE BOUSTANY, Academic
 BENJAMIN CARR, Environmental
 MARCUS DRYMON, State Rep
 SONJA FORDHAM, Environmental
 WALTER GOLET, Academic*
 JOHN GRAVES, ICCAT Advisory Committee
 LISA GREGG, State Rep
 RANDY GREGORY, State Rep
 LUKE HARRIS, Commercial
 DEWEY HEMILRIGHT, Council Rep
 RUSSELL HUDSON, Commercial
 ROBERT HUETER, Academic
 STEPHEN IWICKI, Recreational
 ANDREW MARSHALL, Commercial
 SHANA MILLER, Environmental

ROBERT NAVARRO, Recreational
JEFF ODEN, Commercial
MICHAEL PIERDINOCK, Recreational
GEORGE PURMONT, Commercial
KIRBY ROOTES-MURDY, Council Rep
RICHARD RUAIS, Commercial
MARK SAMPSON, Recreational
MARTIN SCANLON, Commercial
DAVID SCHALIT, Proxy for Christopher Weiner,
Commercial
MICHAEL SISSENWINE, Council Rep
RICK WEBER, Recreational
KATIE WESTFALL, Environmental
ANGEL WILLEY, State Rep
ROMULUS WHITAKER, Recreational

ALSO PRESENT

RANDY BLANKINSHIP, Highly Migratory Species
Management Division
KARYL BREWSTER-GEISZ, Highly Migratory Species
Management Division
CRAIG COCKRELL, Highly Migratory Species
Management Division
GUY DUBECK, Highly Migratory Species
Management Division
STEVE DURKEE, Highly Migratory Species Management
Division
LAUREN LATCHFORD, Highly Migratory Species
Management Division
BRAD McHALE, Highly Migratory Species Management
Division
SARAH McLAUGHLIN, Highly Migratory Species
Management Division
MARGO SCHULZE-HAUGEN, Highly
Migratory Species Management Division
TOM WARREN, Highly Migratory Species Management
Division
JACKIE WILSON, Highly Migratory Species
Management Division

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

8:39 a.m.

1
2
3 FACILITATOR BROOKS: All right, let's
4 get going here then. Thanks, everybody, for
5 coming back. All right, so just to give you a
6 sense of the day, if I could ask folks to just
7 quiet down here, that would be great.

8 We're going to have to improvise a
9 little bit with the weather. It's beautiful
10 outside here, but not everywhere in the world, so
11 we know a bunch of folks need to get moving and
12 we want to really respect that, so we have been
13 looking at the agenda and trying to figure out
14 some options.

15 We had already covered the 2:30 to
16 3:00 item, so our thinking is, and this comes
17 from some suggestions from AP members who want to
18 test this a little bit, if we just push through
19 lunch, we would probably be able to get out of
20 here by 1:00 at the latest, and depending on how
21 long conversations take, maybe a little bit
22 earlier, but, you know, we would just play that
23 by ear, but it looks like we could be out of here
24 by 1:00.

25 So if that is helpful to folks, I
26 think that's what we'll aim for, but let me just
27 get a quick reaction. Does that seem problematic
28 to anybody? Ben?

29 MEMBER CARR: Do we still have
30 cookies?

31 FACILITATOR BROOKS: That's a good
32 question. The answer is yes, but it just means
33 you need to eat more of them in less time. Pat?

34 MEMBER AUGUSTINE: It's very
35 problematic because I have two boxes of cookies,
36 so when do you want them put out?

37 FACILITATOR BROOKS: Put them out now,
38 Pat. Put them out. Put them out now.

39 MEMBER AUGUSTINE: Put them out now,
40 okay.

41 FACILITATOR BROOKS: Put them out.

42 MEMBER AUGUSTINE: All right.

43 FACILITATOR BROOKS: All right, so I
44 think we're going to plan on that then. Just
45 assume we're going to push - oh, sorry, please?

46 MR. SCHALIT: My only consideration is
47 that we would rush through to make this deadline
48 and that we would not give an adequate amount of

1 time to the issues that we're here to do. I
2 mean, we're here now. We all took the time away
3 from whatever else we're doing. We might as well
4 do the job that needs to be done without rushing
5 is all I'm saying.

6 FACILITATOR BROOKS: Totally agree,
7 and our current thinking isn't to rush us. It
8 would just be to simply work through lunch, so we
9 would have the exact same time allotted to each
10 agenda item. Okay, any other quick thoughts on
11 that?

12 All right, so let's assume then we
13 will not break for lunch at 12:00. Instead, we
14 will just go directly to the 1:30 to 2:30 item
15 and we will still give that the full hour and not
16 trim anything.

17 So I guess the only ramification of
18 that is at the 9:45 break, you may have to go
19 check out rooms, but also if you get hungry, I
20 would recommend running by Starbucks and picking
21 up a snack or something that you can have to get
22 you through 1:00, or cookies, but if you want
23 protein, go to Starbucks.

24 Let's see, other than that, I think
25 that's the main thing on the agenda. I know
26 Steve wanted to make a couple of comments because
27 he has to cut out early, and then Margo, so
28 Steve, we'll hand it off to you first.

29 MEMBER IWICKI: Okay, I appreciate it
30 because I do have to leave early because of other
31 work things. I really just wanted three points
32 in less than three minutes. They're all
33 positive.

34 If you didn't realize, Chris was back
35 here last night to have some really good
36 discussions and he and I talked a lot about the
37 diversity of this panel compared to other panels
38 we've both been involved in in interagency kind
39 of stuff.

40 So again, I kind of expressed what I
41 always tell you, Margo. The way you herd the
42 cats around here with the whole team is
43 fantastic. I impressed that upon him because I
44 think he hasn't quite grasped the uniqueness of
45 the panel from environmentalists to commercial
46 recs and all that kind of stuff.

47 I just wanted to personally also thank
48 everybody from Margo's team and from the fellow

1 AP members that took the time to talk with
2 Caroline, my daughter back here, about her career
3 path and advice as she tries to get into this
4 science area. It was really appreciated and gave
5 her some give advice, and particularly how to
6 beat the computer scoring on govjobs.

7 Then lastly, my wife has twisted my
8 arm to go to the beach in Destin for a week in
9 about 10 days, and I need some fishing
10 recommendations because I can't sit on the beach
11 for a week in a chair and look at the water.

12 So if anybody's got an idea for a head
13 boat or a charter in the Destin area, just shoot
14 me a quick note or drop it on a piece of paper.
15 I'd appreciate it because I can't sit on the
16 shore and look at the water for a week. Thanks.

17 FACILITATOR BROOKS: All right, Margo?
18 Thanks, Steve.

19 MS. SCHULZE-HAUGEN: So yes, I have a
20 quick announcement. So Rich Ruais has indicated
21 that this is his last AP meeting, and Rich has
22 been with the panel since its inception, and has
23 been just a stalwart for the industry for
24 decades, and so I wanted to take a moment and
25 acknowledge his dedication and service over the
26 many, many years, and thank him for his time, and
27 thank you for serving.

28 MEMBER RUAIS: Thank you very much,
29 Margo, for those kinds words. It's probably the
30 worst kept secret that I was planning on making
31 this my last year, but I'm very proud of what
32 this panel and the IAC have achieved since 1991.
33 I was just talking to Shana and I think we were
34 on like minds at the improvement in the stock
35 condition that we've done.

36 I thank all of the AP members and the
37 IAC members for putting up with me. I know
38 sometimes I've been impetuous and maybe a little
39 bit too long-winded at times, but always in the
40 spirit of trying to improve the fishery and the
41 fishery that I represent which is the handgear
42 fishery, so, but thank you.

43 Thank you, and it's not the end. I
44 actually have a year left on my ICCAT Advisory
45 Committee which I plan on fulfilling, but I think
46 it's going to be a critical year and I really do
47 want to focus on that, and I think it's time for
48 new blood and we're bringing new blood.

1 ABTA has plenty of competent people
2 standing in the wings, and we're going to have a
3 real good - we have a good really solid couple of
4 recommendations for you to carry on. Thank you.

5 FACILITATOR BROOKS: All right, then
6 let's jump in, and the first agenda item is an
7 update, overview and an update on the electronic
8 HMS dealer process, so Jackie, all yours.

9 MS. WILSON: Okay, good morning.
10 Hopefully you can hear me. My name is Jackie
11 Wilson for some of the folks who have not met me.
12 I've been working on electronic dealer reporting
13 within our HMS groups since about 2011.

14 So today I want to go over how we have
15 implemented electronic dealer reporting for our
16 seafood dealers, so these are the federal dealers
17 that have tuna, shark, and swordfish dealer
18 permits.

19 In 2013, we required that they report
20 electronically. We also required that they do
21 that on a weekly basis. This is a change from
22 what existed in the past, and the main thing is
23 that electronic dealer reporting wasn't new at
24 this time.

25 It had been going on since about 2004
26 up in the northeast, and so this is something we
27 were able to have our dealers so, and I want to
28 go through how we use not only a program that we
29 developed, we have an Oracle database that we
30 keep all of our HMS landings in, but basically
31 how we use this data to do our quota monitoring
32 and our QA/QC processes.

33 So this is just a really brief outline
34 of the talk. I'm going to first go over our
35 sources of the landings data that we get. You'll
36 see that there's a number of different programs
37 that we use in order to collect this data.

38 One of the things that I want to
39 emphasize is that we are talking about the BAYS
40 tuna here, so bigeye, albacore, yellowfin, and
41 skipjack. The tunas do not include bluefin tuna.
42 That's a separate piece. We talked about that a
43 little bit yesterday afternoon. This also
44 includes swordfish and sharks, so that's really
45 what I'm going to be focusing in on today.

46 I'm going to go over some of our data
47 quality assurance and control procedures, so
48 QA/QC, how we review that data and make sure it's

1 accurate, and then our dealer reporting
2 compliance because the other part of this is
3 making sure we get those reports in a timely
4 fashion, and so we do compliance, and there are
5 steps we have in place I'll go through a little
6 bit, and then basically how we take that data and
7 we apply it to our quota monitoring.

8 These dealer reports are the basis of
9 our quota monitoring. It's how we get our
10 landings data so that we can monitor the
11 fisheries over time and see whether or not we
12 need to close a fishery, so they're a really
13 important source of data for us.

14 So what this is doing here is, what I
15 want to emphasize is before we started electronic
16 dealer reporting within HMS, it existed in other
17 places, and there were a lot of other electronic
18 reporting programs out there. So really to ease
19 the burden on the dealers, we were able to
20 incorporate our new requirements within the
21 existing programs.

22 The only thing that we did do is we
23 created a new program which you can see up here
24 is our HMS electronic reporting program, and this
25 was created specifically for dealers that mainly
26 only deal with HMS product. It's a much more
27 simplified design.

28 They don't have to go through a large
29 species tree, and it really is helpful for folks
30 like in the Caribbean that only have an HMS
31 dealer reporting requirement. There are no other
32 state or other federal reporting requirements
33 they have to meet, so that was the only program
34 we actually created, but we did utilize the
35 existing programs.

36 We inserted our requirements within
37 those programs, and this allowed the dealers to
38 basically meet our reporting requirements, but
39 they could use the existing systems that they
40 were used to, and not only that, but they create
41 one report, or you'll hear me call it a ticket.

42 I mean the same thing if I use that
43 interchangeably, but they can create one report
44 and they can meet both their state and their
45 federal reporting requirements, so it makes it
46 much easier on the dealer.

47 We do the hard job of gathering the
48 data in the background, which I'll show you in

1 just a minute, but this allowed us to go ahead
2 and implement things that were already in place.
3 We also made sure that our reporting period
4 matched what existed in the other regions.

5 So right now from Maine to Texas if a
6 dealer purchases anything from Sunday to
7 Saturday, they have to report that by the
8 following Tuesday, and that applies to all the
9 species, whatever happens in GARFO, in the
10 southeast, in the Gulf, so it makes it much
11 easier for the dealer to be able to know what
12 they have to report and when they have to report
13 it by.

14 We also switched things over to a trip
15 basis when we went to electronic reporting.
16 Before that, the dealers in the southeast and the
17 Gulf would actually aggregate their landings on a
18 two-week basis and then they would report it to
19 the agency, but now we go to a trip basis so we
20 actually know where that product came from, which
21 vessel in particular, and each report is for one
22 trip and that allows us to match up those data to
23 other things like logbooks we can use as kind of
24 our checks in our quality control process, so
25 these were big changes and it's really helped in
26 our collection of these data.

27 The one thing I'll mention here is
28 that you can see there's a variety of systems,
29 and not that it's overly important, but these
30 here are basically web-based programs where the
31 dealer can use any computer to create a report.
32 These programs here are trip tickets.

33 These are state-based programs that we
34 were able to piggyback our federal requirements
35 on, but the dealers can actually download those
36 programs to an individual computer. The nice
37 thing there is they can fill in those reports
38 when they're offline, and then when they do
39 connect to the internet, they can send a single
40 report or they can send a batch of reports in.

41 So what I'm going to show you here is
42 how we actually get those data into our eDealer
43 database, and how we get the data really depends
44 on where the dealer is located and which program
45 they're using to report.

46 So we have pretty complicated data
47 pathways on how we actually grab that data in the
48 back end. Again, the dealers don't see this.

1 The dealers just use the reporting program
2 they're used to. They fill out one report and
3 they report everything that they purchase.

4 They don't have to pick and choose an
5 HMS report versus a SERO report versus a GARFO
6 report, and we do the hard work in the back end
7 and basically grab all of the HMS landings that
8 may be on a report. We consolidate them, and
9 then we're able to actually do a nightly data
10 sync and we pull those data into our eDealer
11 database, and so the nice thing here is that we
12 have been able to now have one place that houses
13 all of our HMS landings and we can review those
14 on a daily or weekly basis.

15 The one thing I do want to note is
16 that the only time we get data in a real time
17 fashion in terms of dealer reports and we see
18 that report right away is for folks like in the
19 Caribbean that are using our eDealer program.

20 Those data go directly into our
21 database, but the other data, it takes a little
22 bit of time in order to consolidate all of the
23 data, so it may be 24 to 48 hours before we
24 actually get the data into the database.

25 There are cases where we actually pull
26 the landings from state reports because we get a
27 copy of the state reports, but the states have a
28 different reporting time frame. Most require a
29 monthly reporting basis, so those data that's
30 coming from a state only dealer, we'll get that
31 data a month and a half after the fact, so
32 there's a little bit of a lag.

33 And then there are cases where we have
34 some state dealers who are still reporting on
35 paper to some states, and in those cases, the
36 state will actually enter the data into the
37 appropriate data warehouse and we can pull those
38 data up to a year later.

39 So while we were able to get some more
40 timely data given electronic reporting, there
41 still are some lags in the system, and I'll
42 highlight why that's important in just a minute.

43 So the first thing that we're doing in
44 terms of our quality or QA/QC processes, we have
45 a mixture of automated checks as well as manual
46 checks, but when the data first comes into our
47 system, the application actually will scan those
48 reports and they'll see if there are any

1 problems.

2 And if there are problems, we get
3 automated emails that are sent to our team and
4 that alerts us to things that we need to look
5 into, and then our team will actually go follow
6 up with the dealer, see what's going on, see if
7 there are other problems, and then usually we
8 have the dealer address those issues and resubmit
9 reports so that everybody in that data pathway
10 chain has the same information that we do.

11 So this is just kind of one step, the
12 initial step in the process. It's just giving
13 you some simple statistics like we had 186
14 notifications so far in 2017, and we have a range
15 of different things that the program's kind of
16 automatically looking at as a first check in the
17 overall steps.

18 So we have these system checks that
19 we're looking for the completeness of the dealer
20 reports, but our staff is then actually digging
21 in if there are any issues, and we're doing
22 manual checks as well to make sure things make
23 sense given who the dealer is, who the vessel is,
24 where they're fishing, etcetera.

25 We also have a dedicated database
26 analyst on the team, so she's looking at issues
27 that go on that she's constantly digging in and
28 finding things if there's anything that seems to
29 be wrong that we need to look at on a much
30 broader level.

31 And we're documenting all of our
32 changes, not only within the Oracle database, but
33 we have, outside we have a log where we actually
34 track everything so that we know when we went
35 back to a dealer what we asked them to change,
36 what was changed, etcetera.

37 So the next part of this is not only
38 to make sure that the data is as accurate as
39 possible, but also that we get it in a timely
40 fashion, and so for the commercial dealers, we
41 are actually running weekly compliance checks to
42 make sure that if they submit a report, was that
43 report submitted by the Tuesday deadline, and if
44 they didn't submit a report, then they are
45 actually prohibited from purchasing any HMS until
46 those missing reports are submitted, and so we do
47 this weekly check.

48 We have, right now at the time that we

1 put the slide together, there was 435 dealers
2 that we were monitoring. Right now we're at
3 about 476, so it fluctuates a little bit over
4 time, but we're constantly checking that
5 universe.

6 And what you can see here just to kind
7 of give you a flavor, we had about 315. This is
8 on average. This is just 2017 information, but
9 on average, we have 315 reports that were late.
10 One thing to keep in mind is that a dealer may
11 submit multiple reports in a given reporting
12 week, so it's not just one report for one week,
13 which is why that number seems kind of high.

14 To give you an overall sense, this is
15 about eight percent of the total number or the
16 average number of reports that are submitted on a
17 weekly basis. The average number of dealers that
18 were reporting late is about 49. So of that 435
19 dealers, 49 of those guys are reporting late.

20 If we focus in on the shark dealers
21 because our shark quotas actually are some of the
22 smallest ones that we manage, if we look at the
23 total number of late reports in 2017 that were
24 submitted by those shark dealers, we're looking
25 at 2,210.

26 That's about two percent of the total
27 number of reports that have been submitted, and
28 the average number of days that the shark dealer
29 reports are submitted late is about 10 days, but
30 there's a wide range.

31 So all of these things play into when
32 we actually get that data, and those are all
33 things that we take into consideration when we're
34 putting together our landings updates.

35 Now, there are consequences to
36 reporting late. We actually coordinate with NOAA
37 enforcement. We track the history of the
38 dealers, and when the dealers are chronically
39 late in their reports or they're missing reports
40 over time, we do refer them to enforcement, and
41 there are monetary penalties associated with that
42 and it can go up to permanent sanctions depending
43 on how egregious those things are.

44 We also track when the renewals take
45 place for the dealer permits, so we work with our
46 southeast permit office. We work with the GARFO
47 permit office. And if a dealer tries to renew
48 their permit, if they submit an application for a

1 renewal and we find that they're missing reports,
2 so they have incomplete reports, then we will
3 deem that application as incomplete and we will
4 not allow that permit to be issued until they
5 submit all of the missing or they complete all of
6 the necessary reports.

7 Again, that one is something that is
8 kind of our last ditch effort. It happens at the
9 end of the year. We want to get those reports in
10 a more timely fashion, so again, our weekly
11 compliance checks help ensure that, but this is
12 our last ditch effort in order to get any missing
13 reports.

14 So now I'm going to kind of switch
15 over to how we take those data and we use it for
16 our quota monitoring. When we are - this is for
17 all of the HMS. When we're looking at the data
18 and things and we're considering when we're
19 putting together our landings updates, so we've
20 gone through our initial QA/QC, and as we go down
21 into the landings update, we increase kind of our
22 scrutiny that we can look at.

23 We're doing automatic checks for
24 duplicate reports, so our system actually on a
25 weekly basis is looking for potential duplicate
26 reports and then potential duplicate landings
27 within a report, so that's an automatic check
28 that's done.

29 We also have made recently a lot of
30 headway on trying to weed out where you have two
31 different dealers that are reporting the same
32 product, and so that actually ends up in a
33 duplicate report.

34 We are looking at the weights, so we
35 have to make sure that we convert that weight
36 into the appropriate quota monitoring weight, so
37 sharks, for instance, the quotas are in a dressed
38 weight. Tunas are in a whole weight, so when
39 we're putting together those landings updates, we
40 have to take those things into consideration.

41 We're also looking for missing
42 reports, which is kind of a difficult thing to do
43 because you don't know what you don't have, but
44 we're able to, now that things are on a trip by
45 trip basis in those reports, we can compare it to
46 our vessel logbooks, and the logbooks indicate
47 who they sold to, and so if we then find that
48 there is no corresponding dealer report that

1 matches with that logbook, we can identify it as
2 a missing dealer report and we follow up with the
3 dealer.

4 We also do get copies with the state
5 reports, and so we can look for any mismatches
6 where we have a state report and we don't have
7 the corresponding federal report, and we can
8 follow up with the dealer as well.

9 And then for swordfish, we have an
10 extra step because we actually monitor the quote
11 based on the permit type associated with the
12 vessel that's landing the swordfish, and that
13 determines whether or not those landings are
14 attributed to either the directed or the
15 incidental quotas, so that's another additional
16 step we do in the swordfish landings.

17 So I'm going to move on now. The next
18 part of this talk is going to kind of focus in on
19 Atlantic sharks specifically. And if you recall
20 in Amendment 2 in 2008, we made a change where
21 the fisheries, the different shark management
22 groups can close when NMFS calculates that we are
23 projected to reach or we are at 80 percent of any
24 of the given quotas, and once we close the
25 fishery, the fishery can't reopen for that year.
26 Before that, we were managing up to the 100
27 percent mark.

28 In addition, the shark fishery closure
29 is effective no less than five days upon filing
30 in the Federal Register. So we gave the
31 fishermen a chance to actually finish their trips
32 and then land what they could of the remaining
33 quota with that five days' notice.

34 So what does this mean? Basically,
35 we're looking at the landings over time, but
36 again, remember kind of the main point is we
37 don't want to exceed that 100 percent of that
38 quota. We don't want to go over that mark, and
39 so by having that kind of 20 percent buffer or
40 we're shooting for that 80 percent mark, that
41 allows us to look at those landings.

42 We have this little bit of cushion, if
43 you will, so when we have state reports that come
44 in, we have late dealer reports that come in, or
45 even at the end of the year in our final tallies,
46 we have those state reports that were reported on
47 paper and they're over a year late, we have that
48 cushion or that buffer so that we don't go over

1 that 100 percent mark, so that 20 percent has
2 been trying to accomplish that goal.

3 And what I'm showing you here
4 basically is you have - this is ever since we
5 implemented Amendment 2. So we've got time going
6 on up here, and we've got our percentage of
7 quota, and these are the different shark groups
8 that we have for our quota groups.

9 And what you can see here in black,
10 this is prior to electronic dealer reporting.
11 This is since we implemented electronic dealer
12 reporting, and the grayed out section, these were
13 the landings before we closed the fishery. The
14 darkened parts of the bars are the landings that
15 came in after the closure.

16 So you can see if we were actually
17 closing the fishery at 100 percent, mostly likely
18 all of the time we would be over our quotas, so
19 that 20 percent allows that buffer. And in some
20 cases, we are still kind of getting caught by
21 surprise and going over, but the 20 percent has
22 really allowed us to minimize that to the extent
23 we can, and the next talk is actually going to be
24 addressing that a little bit more and talk about
25 some potential changes to that.

26 So briefly here in terms of when we're
27 putting together our landings updates and when
28 we're monitoring whether or not we need to close
29 a fishery, we're taking our landings data that we
30 have in our Oracle database.

31 Then around 60 percent or when we see
32 that a particular group has reached 60 percent,
33 we start doing projections and we try to estimate
34 when that fishery is going to hit that 80 percent
35 mark, or if when we do our landings update, we
36 see that we're at the 80 percent mark, we'll then
37 put together a closure notice to then give that
38 five days' notice upon filing that we're going to
39 have to close that particular fishery.

40 This next slide here is just kind of
41 giving you a hypothetical and what happens during
42 the projections. So again, we've got our
43 landings over time. We have a number of
44 different rates that we'll potentially look at,
45 and these are daily landings rates so this is the
46 number of pounds that are landed per day. We do
47 this on a weekly basis as we know we're getting
48 closer to a fishery potentially closing.

1 But when you hit that 60 percent of
2 the quota, we'll start doing our projections, and
3 based on what's going on in the fishery, if we
4 know landings are really high, we know other
5 fisheries are closing, or if we know that the
6 weather's been bad, other things are going to
7 happen that may potentially slow down the
8 fishery, then we'll select potentially a lower
9 rate for those projections.

10 But when we think we're going to hit
11 80 percent of we've hit 80 percent, then we'll
12 put together that fishery closure to let the
13 universe know we're going to have to close that
14 fishery. And so when we get to that point, we're
15 taking kind of even a more closer look at the
16 data, and so we will - I'm sorry.

17 We will review the species and make
18 sure that we know that we have the correct
19 species and the correct management groups or the
20 quota complexes. We'll take a second look at the
21 grade, so the grade is how the animals are
22 essentially cut up and sold to the dealer,
23 whether it's dressed or it's whole. We'll make
24 sure we're not including things like fins and
25 belly flaps in the actual totals.

26 We double check the HMS catch area.
27 The HMS catch area is actually where the animal
28 leaves the water. So we monitor our quotas based
29 on where the animal leaves the water, not where
30 the vessel docks or where the dealer is located,
31 and so we base all of our quotas on where those
32 catch areas are.

33 The dealers have to report the catch
34 area, and so we're looking at the HMS catch area
35 based on the vessel, based on where the dealer
36 is, making sure that things make sense.

37 We actually use the area fished which
38 indicates where the fisherman was fishing and
39 make sure that makes sense given the HMS catch
40 area that's reported. We look at things like the
41 landing port to make sure that something doesn't
42 look odd and we don't have a landing port on the
43 Atlantic, but for some reason these guys are
44 showing they're fishing in the Gulf.

45 And if we do find any discrepancies or
46 have any questions, we go back to the dealer and
47 we clarify those issues. If changes need to be
48 made, they make the change to the dealer report,

1 and they resubmit it.

2 We then will do our landings updates,
3 and again, we do this on a monthly basis. We
4 have a separate one for swordfish. We have BAYS
5 tuna, and then we have our sharks. These go out
6 on our lists or they get put on our web page.

7 And then we'll notice that some things
8 kind of change over time. I mean, usually you
9 expect those to be going up in the landings, but
10 sometimes there may be a change. Things may go
11 down, and this can be due to a number of things.

12 We can have data entry errors that we
13 found in the reports, and so we've had to go back
14 to the dealer. They made a correction. That
15 correction comes through. So again, we're doing
16 this on kind of a weekly basis, manually looking
17 at that data and seeing if there are changes.

18 There may have been missing dealer
19 reports that finally came in, and so you may see
20 a bigger jump all of a sudden, the same thing
21 with the late dealer reports. Somebody may have
22 been sitting on reports that they shouldn't have
23 been sitting on, and then all of a sudden,
24 there's a big jump that we weren't expecting, or
25 you may see things dip down because we found
26 there were duplicate reports. Duplicate reports
27 are difficult to identify sometimes, and so we'll
28 obviously correct and adjust our landings update
29 based on what we can find as we go forward.

30 So overall, this was meant to kind of
31 give you a sense of our electronic dealer
32 reporting requirements, how we get those data,
33 how we scrutinize those data, and then how we use
34 them to monitor our fisheries and determine
35 whether or not we need to close anything during a
36 fishing season. So with that, I'm happy to take
37 any questions.

38 FACILITATOR BROOKS: Thanks, Jackie,
39 great presentation. Any questions? We have time
40 for a couple. David?

41 MR. SCHALIT: Thank you for that
42 really good presentation. I have a comment and
43 maybe a question, and maybe this question is not
44 for you necessarily, but I'm just wondering. You
45 know, we find that these reports you send us on
46 commercials landings for BAYS are terribly
47 useful, okay?

48 Don't stop them, but I'm wondering,

1 and it's just a hypothetical, but when will we
2 expect to start seeing this similar information
3 for the recreational sector? But maybe that's
4 not within the scope of this, and then I have a
5 comment after this.

6 MS. WILSON: Well, I think kind of
7 this gets to what Brad had mentioned yesterday
8 too. The recreational guys, they can't sell, so
9 we don't have dealer reports that we would do
10 something analogous in terms of what we're doing,
11 you know, here, so we don't have those kind of
12 data to actually apply to like a landings update
13 or anything. I will say in the swordfish updates
14 we do incorporate the recreational landings from
15 swordfish there.

16 MS. SCHULZE-HAUGEN: Yes, so what we
17 have for BAYS would also be the Large Pelagic
18 Survey and referenced in some places. The Large
19 Pelagic Survey is generating estimates a month
20 after the month of fishing.

21 So as Brad mentioned yesterday, we
22 should be getting the August, no, July estimates
23 any day now. So it's roughly monthly, but we're
24 not - we haven't been posting those in the same
25 way, but those are available on the website. I
26 can show you where those are and how to do that.

27 MR. SCHALIT: The other thing I wanted
28 to mention is that you may be aware that there
29 are HMS fishermen who carry maybe one or possibly
30 two different logbooks in addition to the
31 requirements for direct reporting to the HMS
32 management division.

33 I'll give you an example. In the
34 northeast, it's very typical that bluefin tuna
35 fishermen or BAYS fishermen will have a
36 multispecies permit, a federal multispecies
37 permit which enables them to catch fish to be
38 used as bait like herring, and mackerel, and
39 stuff like this.

40 Now, under the existing rules, we are
41 required, we are obligated to report our HMS
42 landings on that logbook as well, not just the
43 species that we're talking for bait, and then the
44 same would also be the case if we were to have a
45 permit for dolphinfish which is issued by the
46 southeast.

47 So we have a separate logbook for the
48 southeast for dolphinfish, and we have this

1 logbook that I mentioned for multispecies from
2 Gloucester, and technically as I understand it,
3 we would be obligated to report our HMS landings
4 on both of these logbooks in addition to, let's
5 say, dolphinfish.

6 So my only concern here is, well,
7 obviously other than the burden of the paperwork,
8 would be that there would be some duplication
9 that takes place in your system as a result of
10 all of this duplicate data being given to the
11 agency.

12 MS. WILSON: Well, keep in mind that's
13 at the vessel level. I'm talking about the
14 dealer level, and so we actually do track the
15 VTRs and match those up on the dealer reports,
16 and so even though that particular person may
17 have two separate logbooks, I'm assuming they're
18 selling to a single dealer, and therefore the
19 dealer would report what they buy.

20 So they're not going to have duplicate
21 reporting in those cases, but yeah, I hear you
22 about the multiple logbooks and I do think there
23 are efforts to try to simplify that in the
24 future. I'm not the one to really speak about
25 that, but yeah, that case I don't think would
26 affect this as much.

27 FACILITATOR BROOKS: Thanks, let me
28 get in Rusty, then Andre, then Bob, then Jason.

29 MEMBER HUDSON: Thank you, Bennett,
30 two questions. We've had electronic reporting
31 now for three full years, I believe, August 2014
32 if I recollect, oh, 2015, okay.

33 PARTICIPANT: No, 2013.

34 MEMBER HUDSON: Oh, '13, so we're at
35 four years. Do we have 100 percent compliance on
36 that so far?

37 MS. WILSON: 100 percent compliance in
38 using, yeah. If they have a federal permit, they
39 have to report electronically. There are no
40 other options.

41 MEMBER HUDSON: Next question, what
42 kind of teeth do you have? I mean, at the
43 council level, we had to put some teeth in there
44 to be able to cause peoples' permits not to be
45 active if they didn't get things on time, and we
46 still have a problem like in the Gulf Coast.
47 Where is the regions and what kind of teeth do we
48 have to get the dealers to be compliant or more

1 compliant?

2 MS. WILSON: Well, we do - so if they
3 are chronically submitting reports late, then we
4 do put them to enforcement, and there are summary
5 settlements that are given out to the dealers.
6 If we find at the time of renewal - we do work
7 with both the southeast permit office and GARFO
8 because we have dealer permits in both regions.
9 We have a system set up with them.

10 They check in with us, and if we find
11 that the dealer is missing any reports, we will
12 hold that application until they submit those
13 missing reports. If they do not submit those
14 missing reports, whatever region they're applying
15 to will not issue that permit, so that's the
16 teeth I guess.

17 MEMBER HUDSON: Last thought, as far
18 as the dealers go, are you able to just make a
19 courtesy phone call when they're like a week late
20 or something like that just to be able to, you
21 know, rattle the cage a little bit?

22 MS. WILSON: Yeah, so we do have a
23 whole system set up where we track the history of
24 the dealers, and every two weeks we put together
25 a list that we need to - folks we need to follow
26 up with.

27 We do have a set number of calls we
28 actually make to dealers, and then every single
29 time when we do our compliance check, there's an
30 automated email that gets sent to the dealer and
31 it puts them on notice that you are late and/or
32 missing, and so if you're missing anything, you
33 have to submit it right away, so they are given
34 notice via email.

35 They do get phone calls throughout the
36 year. They do not get phone calls every single
37 time they're late. And then if they continue to
38 be late, they get sent to enforcement. So they
39 have, I would say, adequate warning when they're
40 not reporting on time.

41 FACILITATOR BROOKS: Thanks, Andre?

42 MEMBER BOUSTANY: Yes, it was kind of
43 a comment/question, which we tend to get those
44 around here, but how much effort has there been
45 to get the states' systems integrated better,
46 both with each other among the states and then
47 between the states and the government?

48 It seems as though, I mean, just

1 looking at the dealer data pathways in slide
2 four, anytime you're duplicating effort like
3 that, not only is a lot more effort, but there's
4 - you're introducing a lot of potential for
5 duplicates and mistakes anytime you have any of
6 these things along the way.

7 And to hear that some states are still
8 using paper systems as opposed to, you know,
9 this, what seems to be a very nice system that
10 you've built here, has there ever been an effort
11 to try to coordinate among the states? And I
12 know that's not your job, but do you know of any
13 efforts to try to do that? It just seems like
14 this is ripe for consolidating and streamlining.

15 MS. WILSON: So just in case I wasn't
16 clear, the dealers actually, by incorporating in
17 the existing programs, they are able to submit
18 one report and that can go to the state and the
19 fed, so they don't have to create separate
20 reports unless they insist on reporting on paper
21 and then they have a federal permit and they also
22 have to do it electronically.

23 But, yes, to get to your question, we
24 do. We've tried very hard. I go to the Gulf
25 commission meetings that meet twice a year. We
26 worked very closely with ACCSP and we have tried
27 to work with the states. Things are different in
28 terms of which region you're in.

29 In the GARFO region, it's actually
30 considered a federal data collection for the
31 dealer reports, and so the federal systems have
32 incorporated and worked with the states, but when
33 you go from North Carolina to Texas, those are
34 individual state reporting programs.

35 They are wedded to those programs, and
36 we work with them to the extent that we can and
37 they'll cooperate, and so we were able to
38 incorporate our HMS requirements in those
39 programs on a state by state negotiation, and so
40 at least we have those dealers being able to use
41 the programs that they're used to using and they
42 don't have to use those programs and go and use
43 an HMS program.

44 But, yeah, we're constantly in
45 negotiations and trying to make it a more
46 streamlined process. They are working in the
47 Gulf now to actually switch from some of these
48 PC-based to a more web-based program, but again,

1 that is really up to the individual states and to
2 the extent that they want to cooperate.

3 MEMBER BOUSTANY: And just a quick
4 follow up on that, how much of that is passive
5 resistance of just not wanting to change what
6 they're doing versus active resistance where they
7 think their system is somehow better or they want
8 to keep using their system for some reason or
9 another?

10 MS. SCHULZE-HAUGEN: Well, I was going
11 to interject that Jackie's being very modest and
12 that the amount of effort that we have expended
13 at trying to make this as efficient for the
14 dealers as well as for the process, I mean, it's
15 an incredible amount of work, and, you know, you
16 just can't change everything and get agreement on
17 everything. So to your question about whether
18 it's passive or active resistance, I think it's
19 both.

20 FACILITATOR BROOKS: All right, I've
21 got two more AP members in the queue here, and
22 then we should push on. Bob?

23 MEMBER HUETER: First, Jackie, excuse
24 me, very nice work as usual from you. I would
25 call this a model PowerPoint presentation,
26 beautifully done. Any particular insight that
27 you can give us on what happened with the
28 hammerheads in the western Gulf last year?

29 It looks like when the fishery, when
30 you moved to close the fishery, it was already
31 almost 120 percent filled, and then by the time
32 all was said and done, it shot over 140 percent,
33 so I'm wondering was this due to dealers not
34 reporting or was it due to an unexpected rate of
35 catch in that period?

36 PARTICIPANT: So are you talking about

37 -

38 MEMBER HUETER: 2016, the overshoot on
39 the hammerheads.

40 PARTICIPANT: Yeah.

41 MEMBER HUETER: I know that's a very
42 specific question.

43 MR. DUBECK: So again, that was one of
44 the issues where the dealer was holding onto the
45 reports, so then when they submitted all of the
46 reports, the landings jumped up much higher, and
47 the quota is very small. It's like 28,000
48 pounds, so it doesn't take much for some of the

1 dealers to hold onto them and submit them late.

2 MEMBER HUETER: So let me follow up
3 then. Is that a case like Rusty referred to? Is
4 that a case where there are consequences for that
5 particular dealer?

6 MR. DUBECK: Yes, those kinds of
7 actions.

8 MS. WILSON: I also want to give a
9 shout out to Delisse who created the actual
10 PowerPoint, so I was the presenter, but she has
11 many more artistic skills than I do.

12 FACILITATOR BROOKS: And I think it's
13 Adobe that actually created the - Jason, last
14 word here?

15 MEMBER ADRIANCE: Thanks, Jackie. Can
16 you just for my clarification walk through how a
17 duplication might happen just to help me
18 understand that a little bit?

19 MS. WILSON: Yeah, so there's actually
20 kind of different types of duplication if you
21 will. So you can have a case where a dealer may
22 actually just end up submitting the same report
23 twice, and we look at things like the vessel, the
24 landing date, the ticket number, and you can kind
25 of weed those out. Those are pretty clear.

26 You can have duplication of the
27 landings within a report, so a dealer may
28 accidentally hit to do swordfish twice and they
29 meant to only do it once, and again, that's a
30 pretty straightforward check.

31 Then you have cases, particularly from
32 Florida to Texas, in the trip ticket programs
33 when a dealer goes to submit a report, there's
34 actually a state file that's created that meets
35 the state requirements and there's a federal file
36 that's created that meets the federal
37 requirements.

38 We get both of those because if
39 they're HMS, then the tickets are pulled into our
40 system, and so those are essentially duplicate
41 reports so we actually have to match those up.
42 We end up discarding the state file because it
43 doesn't meet our requirements and we take the
44 federal file, so we have to make sure that gets
45 cleaned up.

46 But there's also cases where you can
47 have, based on what the state requirements are,
48 and I'll use South Carolina - Wally's not here to

1 defend himself, but - as an example. But a
2 vessel will come in and land in South Carolina.
3 They then will give their product to a dealer who
4 will pack it out.

5 That dealer or that entity isn't
6 actually buying from the vessel, but the state
7 requires if they touch it, they have to report it
8 as a dealer. And then the product gets put on a
9 truck and it's shipped up to somebody in the
10 northeast who actually buys it from the vessel,
11 so then they'll submit a report, so essentially
12 you have two reports there.

13 We've made the system now so they can
14 actually indicate if it's packed out versus if it
15 was actually purchased, and so then when we do
16 our landings update, we take into consideration
17 what we call a disposition and we remove those
18 pack outs so that we actually remove the
19 potential duplicates that occur there, so that's
20 another type of duplication you can have.

21 FACILITATOR BROOKS: Nice, Jackie, you
22 are seriously on top of this stuff. That was
23 really impressive. Thank you. All right, let's
24 move to the - oh, sorry, Sonja, last word.

25 MEMBER FORDHAM: I'm sorry, late
26 entry. Joint consensus that's a masterful
27 PowerPoint. I just want to make sure I'm reading
28 this correctly to Bob's point. So on the
29 hammerhead overage, wasn't it - so there's a
30 problem with late reporting, but isn't it based
31 on the overage even without the late reporting
32 for that hammerhead last year, Gulf, yeah?

33 MS. WILSON: Yes, so you can see like
34 when we closed the fishery, we were actually up,
35 and so that can happen sometimes if we have
36 really high landings. And again, remember this
37 is a percentage of a small quota, so you're
38 looking at the percentage here which is going to
39 be even higher.

40 So the absolute number may be small,
41 but when we're doing those landings updates, and
42 we are doing them on a weekly basis for sharks,
43 you can have a sudden jump that occurs in there,
44 so we're trying to basically prevent that to the
45 extent possible.

46 FACILITATOR BROOKS: Thanks, so the
47 next presentation really tees off of this and
48 I'll hand it off to Lauren Latchford. This is

1 about the upcoming rulemaking for commercial
2 shark closure threshold and advanced notice of
3 proposed rule.

4 So she will lay out what the thinking
5 is, and we definitely want to have a little bit
6 of conversation and feedback from you all on
7 this.

8 MS. LATCHFORD: Hello, great, hi,
9 everyone. If you don't know me, my name is
10 Lauren Latchford. I'm here and will be
11 presenting today on a topic that has been
12 discussed much in the past, the 80 percent
13 threshold and the five-day closure notice.

14 So this morning for our outline we are
15 going to go over why we're considering this, a
16 brief history of reporting and management,
17 comments we've received on this topic in the
18 past, options we're considering, and then we'll
19 open this up for discussion.

20 So we're considering changes to the
21 landings threshold that prompts a shark fishery
22 closure and the length of time between public
23 notice and the effective date of a given fishery
24 closure.

25 In order to do this, we would need to
26 update and revise existing HMS regulations that
27 require NMFS to close fisheries with no fewer
28 than five-days' notice when landings or
29 projections of landings reach 80 percent of the
30 commercial quota.

31 We hope that this will improve the
32 ability to harvest available quotas to the
33 fullest extent while also avoiding over harvests
34 in the fisheries.

35 So to provide a bit of dealer
36 reporting history, we heard a bit from Jackie,
37 but I'll just go into this quickly, NMFS began
38 managing Atlantic sharks in 1993. We established
39 a requirement for federally permitted dealers to
40 report harvest every two weeks.

41 Because these reports were paper
42 based, data was often a month or more out of
43 date. Fisheries were closed when 100 percent of
44 the quota was reached, and any shark fishery
45 closure was effective no less than five days from
46 notice of filing with the Federal Register.

47 And in 2008 when Amendment 2 to the
48 2006 Consolidated HMS FMP was finalized, NMFS has

1 the same requirement for federally permitted
2 dealers to report every two weeks. However, the
3 quota was changed from 100 percent to 80 percent
4 of the available overall regional and/or
5 subregional quota. Shark fishery closures were
6 still effective for no less than five-days'
7 notice from filing with the Federal Register.

8 And in 2013, all Atlantic HMS federal
9 dealers were required to report the harvest of
10 sharks, swordfish, and BAYS tuna on a weekly
11 basis through eDealer, and shark fisheries still
12 closed when a shark management group reached or
13 was projected to reach 80 percent, and the shark
14 fishery closures were effective no less than
15 five-days' notice of filing with the Federal
16 Register.

17 So NMFS has received numerous comments
18 through Amendment 2, the blacknose rulemaking,
19 and at AP meetings that NMFS should modify the
20 current 80 percent threshold and the five-day
21 notice.

22 Some of the comments have included
23 changing the threshold from 80 to 90 percent, and
24 this is from Amendment 2, increasing the closure
25 notice because five-day notice wasn't long enough
26 for pelagic longline fishermen, considering
27 either a three-day closure notice to be
28 consistent with bluefin tuna regulations or
29 reduce the threshold to 70 percent, and we also
30 received one from Amendment 2 to ask us to
31 predict how long the season should remain open to
32 fill the quota based on past catch rates.

33 We received one comment from the
34 blacknose rule to change the 80 percent threshold
35 to an unknown higher threshold. And during the
36 AP meetings in 2010, we were asked to move
37 reporting from every two weeks to every week to
38 use the full quota, which was done.

39 In 2014, we were asked to change the
40 closure notice to 95 percent now that eDealer was
41 in place, and in 2016 and 2017, we were asked to
42 increase the threshold from 80 to 90 percent.

43 So with all of this in mind, we
44 started to think about viable options for
45 landings thresholds and closure notices. So six
46 options that right now we are considering for the
47 landings thresholds, the first option would be to
48 keep it the same and maintain the 80 percent of

1 the available overall regional or subregional
2 quota.

3 A second option could be to increase
4 the closure threshold to 90 percent of the quota.
5 A third option could be to decrease the closure
6 threshold to 70 percent of the quota. A fourth
7 option would be to increase the closure threshold
8 to 90 percent in the Atlantic, but keep it at 80
9 percent in the Gulf.

10 So Atlantic states require shark
11 dealers to hold a federal shark dealer permit.
12 However, shark dealers in the Gulf are not
13 required to hold a federal dealer permit if they
14 do not buy from federally permitted vessels.
15 These dealers are required to hold a state
16 permit.

17 By not having the federal permit,
18 state dealers don't have to report electronically
19 every week and can report on a monthly basis or
20 via paper forms. Additionally, all Atlantic
21 states close state waters to commercial shark
22 fishing at the same time as federal waters, but
23 some Gulf of Mexico states allow at least limited
24 shark landings in state waters after federal
25 closures, so this would be the reason why we
26 would have 80 percent in the Gulf of Mexico and
27 90 percent in the Atlantic.

28 A fifth option would be to establish
29 objective criteria to evaluate whether a shark
30 species and/or management group should close when
31 landings reach or are projected to reach 80
32 percent or remain open until 90 percent of the
33 quota is reached.

34 Certain criteria could include the
35 stock status, patterns of over and under harvest
36 of the fishery over the previous five years, the
37 likelihood of continued landings after the
38 federal closure of a fishery, or landings
39 exceeding the quota by December 31 of each year.

40 And lastly, the sixth option would be
41 to allow the shark fishery species and/or
42 management group to remain open after the
43 landings have reached or are projected to reach
44 80 percent if the species or management group
45 landings are not projected to reach 100 percent
46 before the end of the commercial fishing season.

47 So these are options to consider,
48 changes to the period of time between filing the

1 shark fishery closure notice in the Federal
2 Register and the effective closure of the shark
3 fishery.

4 So the first option would be to
5 maintain the five-day period between filing of
6 the closure notice and the closure going into
7 effect. A second option would be to change the
8 minimum notice between filing a closure and going
9 into effect to three days, and a third option
10 would be to allow immediate closure upon filing
11 with the Federal Register.

12 So we need to consider how changes in
13 the threshold might react when combined with one
14 of the timing options. The goal is to improve
15 management by utilizing the quota while not over
16 harvesting the quota.

17 So with that in mind, I'm hoping that
18 we can have a discussion today about that,
19 considering three of these questions. So what
20 are your thoughts on these six threshold options
21 and three notice options? What options do you
22 think would go together most appropriately, and
23 are there other options that we should consider
24 that haven't been presented during this
25 presentation?

26 FACILITATOR BROOKS: Thanks very much.
27 So I think Lauren's teed that up nicely, really
28 two areas that we're in particular looking for
29 feedback on, the threshold and the notice. So
30 I've got Shana, question, clarifying?

31 MEMBER MILLER: Yes, thank you for the
32 presentation. How long - so even if you decided
33 to close the fishery immediately upon the Federal
34 Register notice - sorry, I'm still asleep and not
35 speaking clearly here - what - when you guys
36 decide you need to close the fishery, how soon
37 can that Federal Register notice publish?
38 There's a lag there too, right?

39 MS. BREWSTER-GEISZ: It doesn't take
40 us very long once we do the calculations. Just
41 like with bluefin tuna, we can get this to the
42 Federal Register within a day or two.

43 MEMBER MILLER: And then it publishes
44 the next day?

45 MS. BREWSTER-GEISZ: The Federal
46 Register process is a little different. So
47 things can file that day and then they publish a
48 few days later, and that's if we do a file

1 immediately, so we let people know soon. And so
2 what we were looking at on those three options if
3 you want to go back, that would be - the
4 immediate closure would be the day it files which
5 we can do immediately.

6 MS. SCHULZE-HAUGEN: One quick caveat
7 to that is that there are currently still some
8 review procedures from new folks in the
9 administration, so our couple of days is still
10 possible, but not always, so we're still in a bit
11 of that transition.

12 MEMBER MILLER: Yeah, just one more,
13 so it can be the day it files, not the day it
14 publishes though technically?

15 MS. SCHULZE-HAUGEN: Yes.

16 FACILITATOR BROOKS: Katie?

17 MEMBER WESTFALL: Thank you, Lauren.
18 Question, how are discards for sharks in the
19 aggregated coastal shark group and the hammerhead
20 group accounted for in this?

21 MS. BREWSTER-GEISZ: Discards are not
22 part of the commercial quota, so this is only in
23 regard to commercial quota.

24 MEMBER WESTFALL: So I understand that
25 this is for the directed shark commercial
26 fishery, I'm just wondering if there's broader
27 efforts to account for discards and landings in
28 the recreational sector to ensure that the
29 overall TAC that's recommended by the stock
30 assessment isn't exceeded, and specifically I'm
31 worried about scalloped hammerheads and whether
32 or not the counting of those discards and
33 landings in the rec sector put us over that
34 overall TAC that was recommended in that 2009
35 assessment.

36 MS. BREWSTER-GEISZ: Yeah, we keep a
37 close watch on all of that to make sure we're not
38 going over the TAC.

39 MEMBER WESTFALL: Good, so we
40 definitely are under with accounting for all by
41 catch and fisheries that interact with
42 hammerheads? We're under that threshold, that
43 TAC?

44 MS. SCHULZE-HAUGEN: So I don't know
45 offhand. I'm assuming. What I was going to say
46 is that when we get an assessment, we get
47 information on what by catch and discard rates
48 have been, and we go through a process of kind of

1 taking those off the top. So what is allocated
2 for commercial quota here then already takes that
3 into consideration, but it's more we get a lot of
4 that information at a stock assessment level, not
5 at an annual in-season level.

6 FACILITATOR BROOKS: Katie, did you
7 want to weigh in on either of the two questions?

8 MEMBER WESTFALL: I just think that's
9 an important consideration to factor in if you're
10 looking at different thresholds and different
11 buffers.

12 I think it's important to look at
13 overall the accounting of what's happening across
14 all sectors and where we are in terms of those
15 TACs and the rebuilding timelines for some of
16 these species, specifically hammerheads and the
17 scalloped hammerhead.

18 FACILITATOR BROOKS: Thanks, Michael?

19 MEMBER SISSEWINE: Yes, thank you.
20 My question, and actually I'd like to make a
21 follow up comment, relates to the one that was
22 just, or the conversation that just went on.

23 So I guess I would ask okay, here are
24 some options, a combination of options, and
25 you're asking for our input which sort of you're
26 asking us what feels good, which means whether
27 you're concerned about sharks or you're anxious
28 to catch sharks.

29 What analysis is planned? I mean,
30 what's going to be done to actually analyze these
31 options? If there are specifics you can respond
32 on that, I'd like to also follow up with a
33 comment. Is it just what do we think feels good
34 or is there going to be some analysis with data
35 and so on?

36 MS. BREWSTER-GEISZ: So we're working
37 on an environmental assessment to analyze all of
38 these. I think you saw some of the analysis
39 we're looking at in the graph that Jackie showed
40 with the quotas and what happens, where do we
41 close versus do we go over after we close and
42 that buffer, so those are the type of things that
43 we're looking at within that environmental
44 assessment.

45 FACILITATOR BROOKS: Michael, is your
46 question a comment that it would be - it's harder
47 to weigh in now without that analysis to sort of
48 inform it?

1 MS. SCHULZE-HAUGEN: So part of this
2 too is a point in time of where we are. We're
3 working on a rulemaking. We wanted to share with
4 you all what we're working on. We don't have the
5 proposed rule out. The analyses are not
6 complete, and so we could have waited and not
7 shared our plans with you, but in the interest of
8 sharing the feedback that we're received and
9 what's in the works, this is where we're at.

10 MEMBER SISSEWINE: Okay, that's fine,
11 and the response that the analysis will do the
12 sort of things that you showed in one of the
13 tables that says, "Here's the frequency with
14 which we've overshoot," and reconstruct that by
15 going back and looking at these different options
16 is, I think, very appropriate and would make it
17 much more objective to comment.

18 Going even a little beyond that
19 though, I have a broader comment about this. I
20 assume that the idea is that this would be
21 applied within the framework of the National
22 Standard 1 guidelines, and those National
23 Standard 1 guidelines talk about hedges against
24 management uncertainty and science uncertainty
25 both.

26 What this is describing is how one is
27 trying to build in buffers about management
28 uncertainty, and I don't think that one can judge
29 what the right buffer should be of management
30 uncertainty unless it's addressed within the
31 context of the interaction between management and
32 science uncertainty.

33 So my comment is that as this
34 develops, yeah, I'm interested in which option
35 results in, you know, the lowest frequency of
36 overshooting the quota, but I also would be
37 interested in that in the context of whether the
38 quota was set with a very high, let's say a 50
39 percent probability of overshooting resulting in
40 over fishing, or whether there was a large
41 uncertainty buffer built into the quota.

42 Because those two uncertainty buffers,
43 if we're going to do something sensible in terms
44 of the balance you're seeking, that is fully
45 utilized without over utilizing, you have to
46 consider both of those together, and too often we
47 consider them in isolation. Thank you.

48 FACILITATOR BROOKS: Thanks, that's

1 very helpful. Rusty?

2 MEMBER HUDSON: Thank you. Personally
3 on the Atlantic side, we have found that the
4 toggle up/toggle down ability that we've
5 incorporated is very useful. And as we get
6 towards the end of the year, of course the
7 weather is a little problematic on the East Coast
8 and if you're further offshore. So we kind of
9 like the idea of the 90 percent but we also know
10 that if we're projected not to reach 100 percent
11 before the end of the season, it usually becomes
12 pretty apparent probably about October or so, so
13 you could sort of reach out.

14 We seem to have solved the blacknose
15 problem which, by contrast has helped us with the
16 small coastal. With the fishery for the large
17 coastal, we've done pretty good I think as far as
18 catching the best part of the quota.

19 I think your biggest, the West Gulf of
20 Mexico, that blacktip population, of course,
21 didn't get caught up this year. There was other
22 constraining linkage you have. But the East Gulf
23 seems to be a little easier to deal with,
24 possibly less participation because when
25 Louisiana only had four directed permits and now
26 have expanded to 22 directed permits, it has
27 created a little different situation there but
28 they've always had a strong blacktip fishery in
29 the West Gulf. And so whenever they don't catch
30 the quota, like this year and I believe a little
31 bit last year, they used a carryover because it
32 is not overfishing -- overfishing not occurring.

33 So with that said, you know we like
34 the 90 percent. We like the projection if we
35 don't reach 100 or maybe we will reach close to
36 100 because there are buffers built in on the
37 science and on the management level. We know
38 this. And with blacktip not being overfished and
39 overfishing not occurring in the Gulf of Mexico,
40 speaking for those folks, I know the quota could
41 have been easily doubled but the linkage is
42 what's really the problem. And until they get
43 past the hammerhead issue and the non-sandbar
44 large coastals, and that's sort of a self-
45 management thing on the part of the fishermen,
46 there's not that many of them that are
47 overactive.

48 So, those are my thoughts on this.

1 FACILITATOR BROOKS: Thanks, Rusty.
2 I've got a few more people in the queue and we
3 want to get everyone in but I am mindful of time.
4 So I would just ask people to be as focused as
5 you can. I've got Bob, Jason, Sonja, Terri,
6 David, Kirby, and Angel. Did I miss anybody?

7 All right. So, Bob.

8 MEMBER HUETER: Thanks. Why does that
9 do that?

10 First, I want to second Katie's
11 concerns and make the observation that if we had
12 an SSC, we might have a little bit more
13 transparency to answer these questions. So we
14 might not but we might. We might be able to look
15 at things like how this is relating to the TAC
16 and get the kinds of questions that Katie and
17 Mike are asking.

18 On the notice options, I really don't
19 have any opinion on that. It's whatever works
20 for the fishery and works for the Agency to
21 prevent overages.

22 On the threshold options, though, I'm
23 going to agree with Professor Sissenwine and his
24 approach. If it's not too complicated, I would
25 like to see an analysis for each of these
26 sectors, going back to Jackie's presentation,
27 looking at what has consistently been over or
28 what has been an undershoot, establish objectives
29 that match up to those sectors. So instead of
30 one size fits all for the entire fishery, if it's
31 not too complicated in the analysis, and it
32 shouldn't be, the analysis can be done, then come
33 up with criteria that match those particular
34 sectors so that you try to hit that 100 percent
35 target each time.

36 FACILITATOR BROOKS: Thanks, Bob.
37 Jason.

38 MEMBER ADRIANCE: Yes, thanks. As far
39 as notification, just like Bob said, I don't
40 think I have any opinion on that. Our fishermen
41 are pretty much used to 24- to 72-hour notice on
42 most things. And I'm going to agree with Bob and
43 Mike on an analysis. I think there needs to be
44 an analysis done to see what are the potential
45 impacts of using different triggers.

46 So, I'll leave it at that.

47 FACILITATOR BROOKS: Thanks very much.
48 Sonja.

1 MEMBER FORDHAM: Thank you. I
2 appreciate the presentation and the idea that
3 you're sharing this early. So, I get that. And
4 I look forward to the analysis on the questions.
5 I think it's no surprise that I would favor
6 erring on the side of caution. So, I would favor
7 no more than the 80 percent threshold. I do
8 think that the presentations today support, at
9 any rate if you decide to go higher than 80
10 percent, I think your presentations are
11 supporting an argument for more caution in the
12 Gulf, with the combination of the overages with
13 hammerheads. So that's kind of the reality. And
14 then the potential overages because of the
15 problems with the states.

16 So, I point that out.

17 I agree that Mike Sissenwine makes a
18 good point about the building and the buffer
19 against uncertainty at different levels and would
20 argue for a good buffer when we're talking about
21 hammerheads, in particular, when setting that
22 quota.

23 So I think in general on this issue,
24 I share the concerns. I think they are broad
25 concerns of the conservation community and they
26 are around hammerhead sharks and their
27 vulnerability and status and then the general way
28 in how we're accounting, like Katie said,
29 accounting for the bycatch.

30 So when we're talking about closing
31 fisheries, you know you've heard a lot of it in
32 the last few meetings, we're concerned about
33 what's getting killed after that. And I
34 understand you're building that into analysis but
35 I'm wondering if it might help because there are
36 still a lot of questions -- I have them and other
37 people in my community have them and, oftentimes,
38 I get told that we're mistaken. So, I'm
39 wondering if it might be helpful for next time to
40 have NIMS do a presentation on how you account
41 for the bycatch mortality after the closures.

42 I think that would help clear up a lot
43 of confusion on our part and help us form our
44 positions.

45 And then on the last question, are
46 there other options to consider, I mean looking
47 at the previous presentation, it looked like
48 we're doing pretty well in terms of not going

1 over quotas except for hammerheads. So to me, it
2 seems like this is a species of concern and maybe
3 there need to be other options considered for
4 hammerheads, including maybe anything from a
5 lower quota to a prohibition, to some sort of
6 bycatch avoidance. But again, that needs
7 analysis and a thorough look at how you account
8 for the bycatch mortality as everyone this is a
9 particular sensitive species.

10 And then the last question I have is
11 just -- I know this is sensitive -- but when we
12 might be able to have the next hammerhead
13 assessment.

14 Thanks.

15 MS. BREWSTER-GEISZ: Thanks, Sonja.
16 So we are looking at the assessment schedule.
17 Right now we're looking to try to figure out what
18 we're doing after 2020 because we're full up
19 until then. Enric Cortes, down at the Southeast
20 Science Center, is working through that
21 prioritization chart, if you remember that
22 presentation a few years ago how the agency has
23 come up with a way of prioritizing assessments.

24 So hopefully, though no promises, we
25 might have prioritization ability by the next AP
26 meeting. And then in 2020, possibly picking
27 something that reaches the top of that
28 prioritization or picking a species that have
29 little or no data and seeing if there is a way to
30 assess some of them because there are a lot of
31 shark species we've never assessed.

32 So we're working on it but no promises
33 on hammerheads.

34 FACILITATOR BROOKS: Thanks, Karyl.
35 Terri.

36 MEMBER BEIDEMAN: Thanks for the
37 presentation. And just a couple of questions,
38 actually.

39 Refresh my memory. How would you
40 exactly close the fishery upon filing? I mean
41 how would that functionally work in practicality?

42 And then I have another.

43 MS. SCHULZE-HAUGEN: We would go for
44 file immediately and make calls as soon as we get
45 notice that it will file immediately and people
46 are expecting it. I mean usually, it is within
47 that day. So it would be like file immediatelys
48 are either like in the morning or 4:15. That's

1 why you get a lot of late afternoon calls on
2 those. And like at 11:30 that night has been how
3 I think we've had it done in other fisheries.

4 MEMBER BEIDEMAN: Yes, so I'm trying
5 to remember. So they have some travel, transit
6 -- I mean they can't fish anymore but they have
7 the opportunity to get in and offload?

8 MS. SCHULZE-HAUGEN: It's offloaded by
9 that time. I mean this is part of the reason we
10 often have at least a day or two notice because
11 it is really hard to reach people that are out on
12 the water, and they come in and it's closed, and
13 they're in trouble. I mean it doesn't work
14 particularly well but it is something we have had
15 and it's an option.

16 MEMBER BEIDEMAN: Okay. Well, my
17 statement is that it is kind of impractical;
18 probably not going really going to work very well
19 for most but thanks for clearing that up.

20 And the other thing, it's just a
21 comment, you know we have a lot of different
22 kinds of sharks and this isn't particularly
23 pertinent to these thresholds and such, but I
24 agree with Mike. I think that the idea of you
25 know how much precaution is built in already, you
26 know then we would have a little bit more comfort
27 in trying to pick what might be safe, without
28 going over, or what would be the implications
29 with going over.

30 And you know fishermen I talk to are
31 saying there is a lot of sharks out there. We
32 certainly see on the news and all over the media
33 lots and lots of shark activity. So I hope that
34 we are able to do more frequent shark assessments
35 so that we can get timely information.

36 Thanks.

37 FACILITATOR BROOKS: Thanks, Terri.
38 I've got three more speakers and would ask folks,
39 to the extent you can ditto things that have been
40 said, that will be helpful.

41 So, we'll go David, Kirby, Angel.

42 MR. SCHALIT: I'm agreeing with Mike
43 Sissenwine and I would just add that the target
44 and threshold reference point concept, which has
45 been detailed by the UNFAO, is what I'm making
46 reference to. I think that this, you know, when
47 we look at the biological status of a given
48 species, we can determine if it needs a hard

1 threshold and so on.

2 But Mike I have a question. It seems
3 that what we're talking about here is trying to
4 surgically close a fishery and that would be
5 impossible to do, given all the variables -- the
6 time it takes to file, dealer reports, et cetera,
7 et cetera, et cetera.

8 So does the Agency have the authority
9 to close a fishery, let's say at 80 percent, and
10 wait until the smoke clears, all the dealer
11 reports are in, and they find there's another
12 1,000 tons are left or whatever, and then reopen
13 the fishery briefly to conclude that quota
14 season?

15 MS. SCHULZE-HAUGEN: I mean
16 technically, we could do that. Challenges with
17 that are how much quota is remaining that would
18 justify an opening, for how long, wind, weather,
19 and other fisheries are going on. If you don't
20 have a decent amount of quota, you know you said
21 oh, it's going to open for three days; and then
22 people go because it is only three days, and you
23 get a derby and something bad happens, and it's
24 our fault.

25 And so that has been an option we have
26 tended to avoid for those reasons. It doesn't
27 mean it's not possible. A thousand ton quota for
28 sharks is not at all even close. So, these are
29 small quotas and those are some of the factors
30 that we think about with that kind of an idea.

31 MR. SCHALIT: Thanks.

32 FACILITATOR BROOKS: Good answer.
33 Thanks. Kirby.

34 MEMBER FORDHAM: Thank you and I'm
35 still pretty new here. So, I'm still trying to
36 get a handle on stuff but I appreciate Terri and
37 David's comments and questions about the
38 immediate closure.

39 One thing that I was trying to better
40 understand is why there isn't an option for a
41 longer duration in the notice beyond five days.
42 So it seems like there is a push for these
43 shorter timeframes. And I might have missed it
44 when I was out earlier why there wasn't a look at
45 a longer time period. That's my first question.

46 The second is if there was any thought
47 of doing another component to the thresholds in
48 terms of changing say possession or trip limits.

1 Just those are my two questions.
2 Thanks.

3 MS. BREWSTER-GEISZ: So, in regard to
4 the longer day-notice. So, back in the '90s,
5 early 2000s, a lot of the directed shark trips
6 lasted five days, seven days, sometimes even
7 longer. They would go out on a directed shark
8 trip.

9 Now with the really small retention
10 limits, there are no directed shark trips that
11 last more than two days. It just isn't worth it
12 in terms of a directed shark trip. There might
13 be fishermen fishing for other species that catch
14 a shark that yes, it's going to be a longer trip.
15 So our pelagic longline fishermen are an example
16 of that. But that's sort of why we're not
17 thinking, at this point, of more than five days
18 but it is an option if people would like us to
19 consider it that we can add in.

20 The thought about changing the trip
21 limits, we already have that built in. We do
22 that, as Rusty pointed, out fairly regularly now
23 within the Atlantic.

24 FACILITATOR BROOKS: Thanks. Angel.

25 MEMBER WILLEY: Hi, I just wanted to
26 speak in terms of complementary management in
27 Maryland State waters. We are required to have
28 48 hours public notice for our fishermen. And so
29 an immediate closure would not be complementary
30 in our state waters.

31 And then, additionally, we wait to
32 issue our public notice until we've received a
33 notification from the Atlantic States Marine
34 Fisheries Commission.

35 FACILITATOR BROOKS: Dewey, I see your
36 card up there.

37 MEMBER HEMILWRIGHT: Thanks. There's
38 been two good presentation that's kind of laid
39 out the groundwork. There is basically not
40 really a what I consider a directed fishery, what
41 used to be.

42 I'd be in favor of the no action, the
43 five-day notice. I clearly HMS knows where their
44 problem is in different areas, whether it is in
45 the Gulf of Mexico or in the Atlantic, the
46 reporting requirements from the dealers and the
47 state Board of Fisheries. So you know, I'd be in
48 favor of the Atlantic of 90 percent to closure.

1 I'm not commenting on the Gulf because you know
2 what happens there. You know that data. And so
3 threshold are built in for bycatch already. This
4 is what's left over at the end of the pie for the
5 fishers to catch. So, that's already there.

6 But it's clearly issues that have to
7 be looked at with state water landings and how
8 they're incorporated into the dealer reporting.
9 And so look at where that's happening at, who's
10 doing the reporting, what's the requirements for
11 them states. And so, therefore, you might have
12 to make 80 percent in certain areas of the
13 landing. But it is clearly, I mean you know
14 what's going on, this isn't rocket science here.
15 So you know just continue down the path.

16 But I do know I saw where in the South
17 Atlantic, where they opened up I believe for a
18 beeliner opening for two days. There was quota
19 leftover.

20 So do the best you can do to get close
21 to that 100 percent because if you get it 80 and
22 it's closed, you're leaving 20 percent on the
23 table but your charts clearly show where there
24 might be areas of problems and you already know
25 that, based on the history of managing these
26 sharks for 20 years and comments from around the
27 table.

28 FACILITATOR BROOKS: Thanks, Dewey.

29 So we've heard a couple of people
30 weighing in on the 90 percent, particularly on
31 the Atlantic side but I think the bulk of the
32 comments have really been you've got a lot of
33 good data and you can do analysis. It would be
34 great to see sort of a closer look at this by
35 location, by species, not a one size fits all
36 caution around hammerhead, in particular,
37 balancing the science and the management
38 uncertainty and see how those play off each other
39 and interact. Interest in greater clarity on the
40 dead discard accounting.

41 And I don't think we heard any
42 particularly strong crosscutting themes on the
43 notice period. A couple of people saying no
44 opinion, a couple around be realistic in terms of
45 what we can really do.

46 So, good conversation. Thank you.

47 MS. SCHULZE-HAUGEN: Yes, so a final
48 point. We are hoping to have this in effect

1 fairly soon. So this will be out likely with a
2 comment period before the next meeting. So, I
3 will need all of you to read the EA with all of
4 the analyses that you've asked for and give us
5 your comments before the next meeting.

6 So, thank you.

7 FACILITATOR BROOKS: So we will go to
8 a break now. We will convene at 10:15 sharp. We
9 are a little bit behind. So, I would ask people
10 to be back at 10:15. If you need to check out of
11 your rooms, this would be the time to do it.

12 And again, we're going to push through
13 lunch. So if you need to get yourself a snack,
14 more than what Pat has cooked for you, do so now.

15 (Whereupon, the above-entitled matter
16 went off the record at 9:59 a.m. and resumed at
17 10:17 a.m.)

18 MS. SCHULZE-HAUGEN: So maybe while
19 folks are taking their seats, I have another
20 announcement of another AP member that's been
21 with us for a very long time, Rom Whitaker has
22 just told me that this is also going to be his
23 last meeting.

24 So, another person that has been with
25 us over the years and we've greatly appreciated
26 his input and we will miss him as well.

27 Thank you, Rom.

28 MEMBER WHITAKER: Well, thank you,
29 Margo. I outlasted Rich! We're going at the
30 same time but I've been here, gosh, 20 years I
31 think, just about.

32 I've really met some nice people in
33 here and enjoyed working with you guys. And the
34 HMS staff, you all seem to get better every
35 meeting on your presentations. But you really
36 seem to have gotten better at listening to us
37 from the panel, as fishermen, and I guess
38 environmentalists, and commercial guys.

39 But it's really been a pleasure. If
40 you get down -- hopefully, there'll be something
41 left of Hatteras. So, if you get down to the
42 Outer Banks, please give me a call and we'll
43 drink a beer, or go clamming or something, maybe
44 go fishing. But I've really enjoyed it and I
45 know Margo is going to take care of those
46 yellowfins for me.

47 Thank you.

48 FACILITATOR BROOKS: All right, Rich,

1 we are going to make sure you get the last word
2 at your last meeting. I promise that.

3 All right, so let's dive back into the
4 agenda here. We're going to be very pelagic
5 longline fishery-focused here for the next couple
6 of hours. A few topics we want to cover.

7 Steve's going to start it off with an overview of
8 the Swordfish Landings in the Pelagic Longline
9 Fishery and, more broadly, sort of taking a step
10 back and looking across the trend to understand
11 what's happening here. What are the drivers?
12 And what, as an AP and as a management agency,
13 can be done.

14 We'll then have an overview of area-
15 based management and weak hooks in the Gulf of
16 Mexico by Craig.

17 And then, finally, Tom will share with
18 us an update on the IBQ Program and the three-
19 year review.

20 So, that's the game plan and Steve, I
21 will hand it off to you.

22 MR. DURKEE: Great. Thanks, Bennett.

23 Yes, again, my name is Steve Durkee
24 and, as Bennett set it up, this is kind of more
25 of a forced view of the pelagic longline fishery,
26 specifically as it relates to swordfish as the
27 target species, looking at kind of the
28 characterization of where we are now, trends,
29 what's happened in the past, and perhaps a bit of
30 a look into what's going on, what we can do in
31 the future as well.

32 So, I've got a long introduction slide
33 here. I just want to kind of set the stage. You
34 know the objective really is to understand where
35 we are and where we've been, but also to provide
36 a lot of background information to facilitate
37 some discussion on ways to revitalize the
38 fishery. Swordfish landings are down recently
39 and trying to find ways to increase it would be
40 helpful.

41 Some notes, though, is that this
42 presentation compiles some analyses and some
43 summaries from a lot of different data sources.
44 Some you have seen, some you haven't. Some you
45 haven't seen necessarily combined in the way they
46 are here but this is not all new information by
47 any means.

48 We've probably discussed a lot of this

1 before, too, in the past AP meetings. And some
2 of the analyses and summaries here might point to
3 some ideas on why swordfish landings are down but
4 not all of those can be address by NMFS. Some of
5 those are outside of our purview and
6 jurisdiction.

7 And finally, again, this is just to
8 provide some background information to facilitate
9 that discussion looking into the future. More of
10 a forest view of what's going on.

11 Just to start it off, here's a long-
12 term historical view of where we've been with
13 swordfish landings. This is swordfish retained
14 by year using logbook data, starting in 1995 all
15 the way through 2016. You see a mostly downward
16 trajectory with a peak in 2012 and 2013, and then
17 a drop-off since then.

18 Now, there are a lot of aspects to
19 this presentation and this project. There are so
20 many different facets that affect swordfish
21 fishing by the pelagic longline fleets that we've
22 broken it up into the following categories -- up
23 here is the bullets. And we'll go through each
24 one of these bullets in order through the
25 presentation.

26 Some other things that could affect
27 swordfish landing like biology or oceanographic
28 phenomena, things that affect where the swordfish
29 are and their availability to U.S. fishermen are
30 not discussed here, although they are important.

31 Also some things such as marine mammal
32 depredation or interactions, those can affect
33 landings as well but, again, we're not going to
34 dive into that too much in this presentation.

35 All right, the first category is
36 landings based on dealer data. So here's a
37 smaller time series. This is based on dealer
38 landings data, again, from 2005 to 2016. You see
39 that peak in 2012 with a lesser peak there in
40 2013 but then a pretty precipitous decline every
41 year following that, including through 2016.

42 I would point out that you'll see this
43 peak in 2012 and then to a lesser extent in 2013,
44 I will use that as a reference point for a lot of
45 the discussion in additional slides. So those
46 are two years to keep in mind as we're looking at
47 additional data from different sources.

48 Okay, so this slide compares total

1 swordfish pelagic longline landings with the top
2 ten swordfish PLL vessels in any one year.

3 So for example, in 2013, that first
4 year in this time series, the orange line are
5 total swordfish pelagic longline landings at
6 around 2000 metric tons dressed weight.

7 The blue line are the landings that
8 come from the top ten pelagic longline vessels
9 that year. It looks to be around 700 and 750 or
10 so. And it goes down through three more years,
11 2014, 2015, and 2016.

12 Two things to notice here is that with
13 the landings drop from 2013 to 2014, the top ten
14 vessels in those two years are responsible for
15 about 25 percent of that drop in landings.

16 I would also point out that in 2013 it
17 looks like the top ten PLL vessels had about 33
18 percent of total swordfish landings in the
19 pelagic longline fishery, contrasted at 2016,
20 where the top ten vessels had about half of the
21 landings of swordfish caught on pelagic longline
22 gear.

23 This next slide starts looking into
24 some changes in the target species and what's
25 being retained by pelagic longline vessels. This
26 is vessel data from -- information from three
27 very specific vessels that we've removed any kind
28 of identifying information from them but it is
29 helpful to look at it on a vessel by vessel basis
30 to actually see a switch in target species and
31 retained catch.

32 Let's start at the bottom, down here.
33 Right around here in 2013 for Vessel A, you'll
34 see that almost 40 percent of their catch was
35 swordfish down there at the very bottom, with a
36 pretty hefty amount of tuna as well, and then a
37 small part of sharks.

38 Go up one line to 2014 there and you
39 see that blue line shrinks significantly. That's
40 a swordfish catch. So where it was in the upper
41 30 percent of their total HMS catch, it went down
42 to closer to five percent.

43 At the same time, that green bar
44 increased in 2014. Those are the sharks.

45 So this particular vessel moved from
46 a heavily swordfish and tuna retained landings to
47 a heavily shark and tuna landings. And that
48 trend kind of continued in 2015 and 2016 for that

1 Vessel A at the bottom.

2 Vessel B saw something similar happen.
3 Again in 2013, right here, that blue bar is
4 swordfish, about half of their landings, their
5 HMS landings were from swordfish, with a little
6 bit of tuna, and a little bit of shark as well.

7 But then you go up one level to 2014
8 and you see the swordfish dropped and the sharks
9 increased. The next year had a little bit of a
10 rebound but that trend continued, though, just
11 less emphasis on swordfish and more on sharks,
12 and some of the same emphasis on tunas.

13 And you can go through Vessel C and
14 see a similar trend as well from 2013 down to
15 2016.

16 All right, so this presentation is
17 very heavily focused on the pelagic longline
18 fishery but just for some context, these are
19 landings from the U.S. National Report that we
20 submit to ICCAT of swordfish landings by gear
21 type. The specifics aren't quite as interesting
22 as the last line on this table. And it shows you
23 of the total swordfish landings in any one year
24 what percent came from the project longline
25 fishery.

26 And you see across the board in this
27 time series, it is over 90 percent each year.

28 So to a large extent, swordfish
29 landings are guided by the pelagic longline
30 fishery.

31 All right, the next category is effort
32 and logbook data.

33 All right, so this slide shows active
34 vessels in any one year from 2006 to 2016. An
35 active vessel is defined as a vessel that caught
36 and landed at least one swordfish on pelagic
37 longline gear. It was somewhat stable from let's
38 say 2007 to about 2012 but then a slow decrease
39 from 2012 through 2016.

40 Another way to look at effort is the
41 number of sets. And so this is sets from 2006 to
42 2016 from the logbook data that have a target of
43 swordfish or a mix of species that could include
44 swordfish. And this is across all regions.

45 You again see here in 2012 and 2013
46 that peak that we were seeing before in landings
47 and then a drop after that.

48 All right, so the next slide is going

1 to make your head hurt a little bit. I'm going
2 to take this same information, the sets overall
3 across all regions and separate it out by region.
4 And here it is.

5 I've got a key at the bottom that
6 shows the codes for the ICCAT statistical regions
7 for each one of these lines. If you want to see
8 a map on what these refer to, the very last slide
9 in this presentation has a map that shows what
10 each one of these letters mean. But let's focus
11 in on just a few of the top four lines here.
12 I'll just shade out some of the bottom ones.

13 In red is the Gulf of Mexico region.
14 You see that's pretty high level for most of the
15 time series except for 2010 and 2011, likely
16 related to Deepwater Horizon.

17 In green is the Florida east coast.
18 It has got a pretty big increase in the first
19 half of this time series up to 2012 and then
20 quickly drops off after that.

21 In yellow is the mid-Atlantic bight,
22 somewhat stable across the time series except for
23 a peak in 2013 and then a drop after that. And
24 then the south Atlantic bight is the light blue
25 up there. Again, a drop, not quite as extreme
26 since 2012.

27 Okay, so this looks at swordfish
28 retains using logbook data. So this is not
29 dealer data. This is number of swordfish that
30 were marked down in the logbooks. This is across
31 all regions. Again, that peak in 2012 and 2013.
32 And now we'll break it out by region again to
33 look on a regional basis what's happening with
34 the number of swordfish retained.

35 And here it is. I've labeled the top
36 blue line, the south Atlantic bight. That's
37 where most -- well, not most of the swordfish
38 come from but the largest share comes from the
39 south Atlantic bight. There's a peak in 2012,
40 and to a lesser extent in 2013, and then a drop
41 after that.

42 And that's the same thing you see in
43 the green line, Florida east coast, and the red
44 line, Gulf of Mexico, and the yellow line, mid-
45 Atlantic bight. You see that increase in catch
46 across a bunch of regions with decrease since
47 2012 and 2013.

48 Also on here note in the yellow line,

1 that's the mid-Atlantic bight, right around you
2 know Sandy was in late 2012 and you do see there
3 towards 2012 to 2013, again, that mustard yellow
4 line, you have that peak in 2012. Sandy happened
5 later in that year and then landings dropped off
6 and never quite recovered, for whatever reason,
7 perhaps related, perhaps unrelated.

8 And then finally, here is just a very,
9 very quick estimate of CPUE across all regions.
10 This is just simply the number of swordfish
11 retained divided by a thousand hooks. And this
12 is not standardized. This is just a nominal
13 quick estimate.

14 I include this quick estimate because
15 this is similar to the trend that they're seeing
16 in the swordfish stock assessment they've just
17 completed through the SCRS.

18 The next category, domestic economics.
19 The point of this is to kind of look at more of
20 the dollar side of what's happening, the dollar
21 side of the fishery to see if that's impacting
22 landings and perhaps why there was a peak in 2012
23 and a decrease since then.

24 Here is a chart of ex-vessel swordfish
25 price by month. It is by month. That's why you
26 see these fluctuations go across in yellow and
27 then a blue linear line just to show kind of a
28 trend of the swordfish prices.

29 You see a small increase across this
30 time series but this has not been adjusted for
31 inflation at all. So more than likely, swordfish
32 prices are more or less flat across the time
33 series. So, nothing jumps out as a reason. We
34 would have seen high swordfish landings in 2012
35 and 2013 and low now, based solely on ex-vessel
36 values.

37 Fuel costs from 2004 to 2016. This is
38 just an average fuel cost across all regions.
39 You see a high price in 2008, some high prices
40 again in 2011 through 2014, which interestingly
41 is right there around with the peak in swordfish
42 landings.

43 So based on just a very simple look,
44 it doesn't appear that fuel prices affected
45 effort that much in 2012 and 2013.

46 All right, so this slide is pretty
47 interesting. For the most part, we look at it
48 from a supply side, you know what are fishermen

1 landing, what are fishermen selling. It would be
2 interesting to see from a consumer side what is
3 the consumer's outlook. What does the consumer
4 want? What's the demand for swordfish?

5 We don't have any direct measures of
6 that but, assuming that if you're a consumer in
7 the U.S., you get your swordfish from one of
8 three broad sources. It was either caught in the
9 U.S. Atlantic and landed, it was either caught
10 and landed in the U.S. Pacific, or it was
11 imported from a different country. If you add
12 all those sources together, you can get a rough
13 estimate of what consumption is like in the U.S.
14 of swordfish.

15 So you'll see a decrease from 2000 to
16 around 2004. Then beginning around 2007 or so,
17 there is a thin blue line of exports. It's just
18 not that important for total consumption but you
19 just see a little decrease in the negative amount
20 of exports that we push out. It is somewhat
21 stable across, a little peak in 2011-2012, but
22 then recently an increase in swordfish
23 consumption here towards the end of our time
24 series.

25 And then getting into just
26 specifically looking at pelagic longline vessel
27 revenue, you will see in that second column ex-
28 vessel revenue per trip across all species. And
29 again, this is just revenue not costs. You see
30 it decrease from 2013 to 2015 with a slight
31 bounce in 2016.

32 The third column is per vessel. You
33 see a similar trend, a decrease from 2013 to 2015
34 with a little bit of a larger bounce in 2016.
35 And the next vessel revenue across all species
36 and all vessels, though, continues to drop the
37 same as the number of trips and the number of
38 active vessels as well in that final column.

39 All right, so we kind of touch on a
40 little bit with that previous or the domestic
41 consumption slide. There are a lot of imports
42 coming into the U.S. of swordfish. And this next
43 category just looks at specifically of those
44 swordfish imports.

45 This shows imports relative to
46 domestic production of swordfish. That top
47 yellow line is imports from all countries into
48 the U.S. The gray line near the bottom are

1 Pacific landings and the orange line is our
2 landings across this entire time series.

3 And you can see that, for the most
4 part, imports dwarf domestic production from
5 either region and also probably when you add
6 those two regions together. You see with imports
7 there has also been an increase since about 2013
8 through 2015 of swordfish imported with that
9 yellow line.

10 Here's a look specifically just at
11 those imports, not just the levels but also the
12 value of them. You see the imports, the levels,
13 the metric tons dressed weight is the reddish-
14 orange line that decreased from 2002 until let's
15 say around 2009 and then a somewhat increase
16 since then. And the value held pretty close to
17 that as well. And the value is the blue line in
18 U.S. dollars millions.

19 Okay, so how did those prices compare
20 to U.S. Atlantic swordfish prices? Across all
21 regions you see the price that a fisherman would
22 get from their vessel, the ex-vessel price in
23 orange-ish red at the top. And for the most --
24 and then the gray is the imported prices.

25 You see for the most part across the
26 entire time series the imported swordfish are
27 cheaper than the Atlantic-caught swordfish.

28 This next slide breaks that same
29 information out but by regions. The blue line is
30 the south Atlantic swordfish. Across the entire
31 time series, those are the most valuable
32 swordfish on a per pound basis.

33 Below that is the yellow line. That's
34 the mid-Atlantic-caught swordfish, the second
35 most valuable across most of the time series.
36 You've got the gray line, which is the imported
37 swordfish prices, followed by the Gulf of Mexico
38 prices at the very bottom. And for the most
39 part, Gulf of Mexico swordfish seem to be cheaper
40 than imports, with a couple exceptions. You can
41 see in the time series, most recently there in
42 2011, when they switched places, where imports
43 were less expensive.

44 All right, so where are these imports
45 coming from? This graph shows the proportion of
46 each country's contribution to imports into the
47 U.S.'s swordfish by proportions. These are not
48 total levels, simply proportions.

1 So you see the red line Panama is
2 labeled. Near the beginning of the time series
3 in 2008, that peak, Panama was responsible for
4 about a little less than a third of swordfish
5 imports into the U.S.

6 Starting at around 2011 or so,
7 Ecuadorian imports seem to be one of the most
8 dominant imports into the U.S. by proportion.

9 So let's look at Ecuador a little more
10 closely. This is absolute levels. This is no
11 longer proportion. This is actually the levels
12 of imports coming into the U.S. from Ecuador from
13 2007 to 2015. It's been a pretty steady
14 increase.

15 So if I overlay that with U.S.
16 Atlantic landings, we can see that as U.S.
17 landings, especially since 2012 where that red
18 line had been decreasing, Ecuadorian imports had
19 been increasing since 2012. And sometime around
20 2013 or so, Ecuadorian imports surpassed U.S.
21 production of swordfish.

22 All right, the next category is
23 looking at pelagic longline landings of other
24 species, not just swordfish.

25 There is some concern that fishermen,
26 perhaps, are changing focus from swordfish to
27 other species. So let's lay some landings data
28 across several different species and see what we
29 can find.

30 Here is five different species or
31 species groups. The yellow line is swordfish --
32 I'm sorry. The yellow line is yellowfin tuna.
33 The blue line is swordfish. The green line is
34 dolphin. And the orange and red lines at the
35 bottom are the wahoo and then bigeye, albacore,
36 and skipjack all added together.

37 You can see that yellowfin and
38 swordfish seem to have a somewhat similar trend,
39 decreasing at the beginning of the time series,
40 then increasing toward the end, peaking in 2012,
41 and then they both dropped off.

42 It doesn't look like swordfish effort
43 was moved over to yellowfin, necessarily, since
44 they both dropped together.

45 There has been talk that perhaps
46 pelagic longline fishermen are moving effort
47 towards other species that are not managed by
48 HMS, namely, dolphin and wahoo. We see perhaps a

1 small jump in dolphin landings from 2013 to 2014
2 but nothing out of the range of what we've seen
3 in the past few years. So I don't there is a
4 large switch from HMS species into Council-
5 managed species in the pelagic longline fishery.

6 All right, regulatory impact. What
7 impact do regulations have on swordfish landings?
8 This next slide will make your eyes bleed. But
9 it is interesting, and I will walk you through it
10 but it's worth taking a look at.

11 This blue line is something you've
12 seen before. This is the number of swordfish
13 retained by year. You see, again, that drop at
14 the beginning of the time series, a peak in 2012
15 and 2013, and then a drop since then.

16 Each one of these red lines is a major
17 regulation, the implementation dates, that could
18 affect effort or landings of swordfish.

19 The yellow lines are some -- the
20 yellow arrows are natural events. The first
21 yellow line is Katrina, the second is Deepwater
22 Horizon, and the third is Sandy. And I have a
23 gold star for when north Atlantic swordfish were
24 rebuilt in 2009.

25 I think it is probably more useful if
26 you look at your own computer screens and
27 actually see what all these different text boxes
28 are but a couple to point out would be, most
29 recently, Gulf of Mexico weak hooks, that is the
30 red line in-between the second two yellow arrows.

31 I know this is an ugly slide. So here
32 is Deepwater Horizon. Here is Gulf of Mexico
33 weak hooks here. You can see that after weak
34 hooks were implemented here in 2011, there was
35 still an increase in swordfish landings. A
36 decrease came a couple years after weak hooks
37 were put into place.

38 Another place to pay attention to as
39 well is some of the A7 issue, the GRAs, the IBQ
40 program, et cetera, here in 2015. There was a
41 pretty steady decrease before some of those A7
42 measures came into place as well.

43 But really the overall take-away from
44 that slide is that there really aren't any
45 regulations specifically we can really track
46 really well with decreases in landings.
47 Obviously, regulations have impacts on swordfish
48 landings and effort but we can't find a real

1 direct correlation on any specific management
2 measure.

3 I'm quickly running out of time.

4 Finally, I have demographics and
5 social. We've heard a lot about the aging fleet,
6 the age of the owners. And it won't be
7 surprising to see how that plays out in the data.

8 This looks at the ages of pelagic
9 longline vessel owners and you can see in the
10 first category those are owners that are under
11 the age of 25 and the blue column first is the
12 number of owners that are under 25 in 2006. The
13 second red column is that number of vessel owners
14 that are under 25 in 2010. And then the third
15 one is in 2015. You see it decreases.

16 The number of young vessel owners is
17 decreasing through that time series.

18 The next set of ages is between 25 and
19 34, and a similar decrease through the years of
20 the number of vessel owners that are of that
21 young age.

22 That trend continues until you hit
23 around that 45 to 54 peak, this tall one here.
24 And then all of these columns flip. Instead of
25 having a decreasing trend through here, you flip
26 it and the older owners start going up.

27 Basically what this shows is that from
28 2006 to 2015, the vessel owners are just getting
29 older and older and there is fewer younger people
30 entering in, at least as a vessel owner for
31 pelagic longline vessels.

32 And that is it. I'll open it for
33 questions and discussion. But just as a
34 reminder, under backup slides, this is that map
35 that shows the statistical areas for all those
36 abbreviations. We broke out effort by region.
37 That will be useful, as you look through the
38 previous slides.

39 FACILITATOR BROOKS: Thanks, Steve,
40 that is very helpful.

41 I guess just I would ask you one
42 question before we open it up, which is just, I
43 know you said at the outset the intent here is to
44 have a sort of forest-level look and at various
45 points, you sort of called out where there
46 weren't obvious correlations.

47 I just wondered as you sort of have
48 that higher level look, any take-aways or

1 emerging questions, things that you want to share
2 to give feedback on and your take on things, the
3 Agency's take on things?

4 MR. DURKEE: Yes, that's the biggest
5 take-away: there's no smoking gun that we see.
6 And this is the first step in a long process of
7 just taking a step back and not necessarily the
8 trees, looking at the forest, as you mentioned,
9 and trying to get an idea of why swordfish
10 landings are down, and provide background
11 information for discussion.

12 I doubt we're going to figure an out
13 an answer here in the next 20 minutes. This is
14 something to think about, to mull over, discuss
15 in future APs. But yes, no smoking gun is kind
16 of the take-away.

17 FACILITATOR BROOKS: Michael.

18 MEMBER SISSENWINE: Thank you.

19 In I think it is slide 7, you pointed
20 out to us that about 25 percent of the decline
21 that I guess occurred after 2013 is attributed to
22 the top ten vessels. What's the significance of
23 that? And I ask that because it looks to me like
24 the top ten vessels also account for about 25
25 percent of the overall catch, which says there is
26 nothing unusual about them in terms of a decline.
27 Did I miss something in that?

28 MR. DURKEE: No, not at all. And I'm
29 not trying to guide your thinking by any means.
30 I'm trying to throw some different ways of
31 looking at the data. And I think you're right.
32 Perhaps the top ten vessels in any one year are
33 keeping their effort about the same. What we're
34 seeing is a huge drop in the lower performing
35 vessels.

36 MEMBER SISSENWINE: Well, it looks to
37 me like what that says is that the decline is
38 pretty homogeneous across the entire fleet.
39 There's nothing special about the top ten or the
40 rest of them minus the top ten but okay.

41 Probably the more important question
42 I have is a lot of the information you have -- I
43 mean first, let me just comment this is a
44 tremendous effort in compiling lots of very
45 interesting information, so thank you.

46 I would have been interested in seeing
47 more about what's happened to effort and the
48 number of vessels now versus the period prior to

1 2006. This seems to basically only have the data
2 since 2006.

3 And I ask that in a broader context.
4 The Agency, prior to 2006, not a lot before it
5 but in the early 2000s had a major policy
6 initiative that dealt with the issue of excess
7 capacity in global fleets and U.S. fisheries. I
8 mean there were major studies done about the
9 issue of fishing capacity.

10 And so it seems to me that that
11 discussion about that has been lost and I am sort
12 of curious about how capacity has changed since
13 overcapacity was identified as a fundamental
14 problem compared to today in this fishery and in
15 fisheries throughout the country.

16 So that's the context of asking the
17 question about the earlier data.

18 MR. DURKEE: Yes, that would be worth
19 looking into. I can present that.

20 I think one of the reasons -- well, I
21 know one of the reasons I chose this times series
22 is that in 2012 we came pretty close to hitting
23 our baseline quota. It seems like recent history
24 shows that the fleet is capable of -- perhaps
25 capable of catching the entire baseline quota and
26 that's why I focused in on that time series but
27 there's nothing to prevent us from looking before
28 2006.

29 FACILITATOR BROOKS: Thanks. Katie,
30 your card was up before. Are you good? Okay.

31 Over to Rick Weber.

32 MEMBER WEBER: Steve, just a statement
33 you made going to slide 9. You said as longline
34 goes, so goes the coastal catch. And I would
35 just flip that because you're right, everything
36 went down at the same time and I don't know --
37 the implication was almost if longline goes up,
38 everything else is going to go up with it. And I
39 can't see that cause and effect but if the fish
40 simply are not there -- I mean trying to figure
41 out why rod, reel, handline, harpoon, and
42 longline all go down, it leads toward the fish.

43 FACILITATOR BROOKS: Thanks, Rick.
44 David.

45 MR. SCHALIT: Excellent presentation.
46 The word comprehensive comes to mind.

47 I have one comment and I suppose it's
48 a question. On slide 28, Ecuador, I could add

1 this piece of information, we have seen a similar
2 trend on bigeye coming from Ecuador, which would
3 make sense.

4 The comment I have in connection with
5 this is I'm assuming that there has been a change
6 in the contribution other species, other than
7 swordfish, are making to the profitability of the
8 pelagic longline fishery. And there is a certain
9 amount of that information in the SAFE report but
10 it's still unclear, in my view, and that trend
11 would be interesting to look at.

12 Thanks.

13 FACILITATOR BROOKS: Thank you.

14 Marty.

15 MEMBER SCANLON: One thing that you
16 don't have here is you have on the owner, you
17 know the ages of the owners but the owners don't
18 operate the vessels. So it would be interesting
19 to see age of the captains themselves and how
20 that has risen also. You know there is no
21 capable captains coming along. You know it has
22 been more and more difficult to find crew, more
23 and more difficult to keep crew through the time
24 period that it takes to train them, which is
25 another problem that we're having.

26 Another thing is that I talked about
27 there is there has been short of a shift in the
28 industry, too, as a result of -- you know I
29 touched on it basically when Chris Oliver was
30 here is about bad publicity. You know we get
31 negative publicity at the wrong time of the year
32 and it affects the swordfish price dramatically
33 and people just won't go swordfishing because
34 there is no value to them.

35 So I think that's something that we
36 also have to look at is what the effects of this
37 outside, basically, interference is in the
38 industry, as far as economics go and what can be
39 done about that, to counter that. So I think
40 that is an important element that we're going to
41 rebuild the swordfish stocks. I mean there's no
42 sense in trying to rebuild stocks because if we
43 make progress and then we have some outside
44 source that tells the public that the fish -- you
45 know misinforms the public that the fish are
46 being over caught.

47 We still get questions when I go out
48 about save the swordfish, give swordfish a break,

1 that campaign. That's still very much alive to
2 this day. We have never, ever put that to rest.

3 Today the consumer, a lot of the
4 consumers, not just the -- maybe almost to the
5 point of a majority of the consumer believes that
6 swordfish are overfished to this day. So I think
7 that's a big portion of rebuilding the swordfish
8 industry is to better promote the swordfish
9 industry and its effort to fish sustainably.

10 FACILITATOR BROOKS: Marty, quick
11 follow-up question for you. The sort of negative
12 PR that you're speaking to, is that sort of just
13 a general condition that's out there or do you
14 think it would be possible to actually point to
15 specific events, much as Steve tried to look at
16 management actions, for example?

17 MEMBER SCANLON: Well you had the Give
18 Swordfish a Break campaign. That was a major one
19 just off the top of my head. But we see MSC, you
20 know Monterey Bay Aquarium, they'll red flag a
21 species worldwide. And they don't never give
22 specifics. They just say it's being overfished
23 but they don't say who is at fault and they don't
24 give any credit to those that are doing the
25 effort to prevent that at all. And the consumer
26 just sees that and the next thing you know, we're
27 getting \$2 a pound less for our fish at the wrong
28 time. You know we're catching fish and now our
29 market's destroyed. And they do that
30 deliberately.

31 I mean that is a blatant attack on the
32 domestic fisheries in this country by these
33 outside certifiers, whether it be MSC or it be
34 Monterey Bay.

35 FACILITATOR BROOKS: Thanks.

36 MR. DURKEE: Can I just jump in for
37 one second? Not to disagree with you by any
38 means and you see it on this -- that's what this
39 graph is trying to get at, domestic consumption,
40 what the consumer actually wants. And you do see
41 it pretty flat since the early 2000s. Perhaps
42 the recent increase we're seeing is some hope for
43 optimism. I don't know but definitely noted.

44 MS. SCHULZE-HAUGEN: Just a quick
45 response on the age of the crew and captains. I
46 don't think we have that data. We've heard that
47 comment before. I believe it. But the data that
48 we have is on the permit holders.

1 MEMBER SCANLON: One thing you do
2 have, though Margo, is you do have probably a
3 list of the owner-operators. You know the guys
4 that do own the boats and do operate the vessels.
5 I'm sure there's still a strong majority of the
6 owners also operate their own vessels at this
7 point.

8 So I don't know what the percentage of
9 that is, but that is something that you probably
10 would have.

11 FACILITATOR BROOKS: Bob and then Rom.

12 MEMBER BOGAN: I think I remember
13 seeing something yesterday about the pelagic
14 longline is down by half. I thought it went from
15 200 vessels -- I'm trying to look for it. In
16 just a few years, it went from 200 vessels to
17 like 100 vessels. So to me, it is like obvious,
18 unless I'm seeing it wrong.

19 MS. SCHULZE-HAUGEN: No, you're right.
20 You're referencing what you saw in the pelagic
21 longline closed area presentation, where from
22 2001 I think we had 200 boats to 104 in 2015.

23 MEMBER BOGAN: That seems kind of
24 obvious to me why the catch would go down.

25 FACILITATOR BROOKS: Rom.

26 MEMBER WHITAKER: Yes, Rom Whitaker.
27 It was in page 8 or slide 8, I would just -- they
28 took three boats and their swordfish landings
29 went down while their shark landings went up.
30 And I'm not even sure -- I guess my question
31 would be were these -- was this because they were
32 targeting sharks or were sharks targeting them, I
33 guess would be the question. And if so, you
34 know, it's certainly a factor in there.

35 In one of the charts, the Ecuadorian
36 imports, is there just a lot more effort there
37 now? Maybe one of you guys could answer but I
38 was just curious.

39 MR. DURKEE: I definitely hear some
40 thoughts on Ecuadorian imports. I don't have any
41 answers to that.

42 I do want to just go back to this
43 slide you're mentioning here. I don't know why
44 it's switching. I just want to present it for
45 you guys to at least consider. But I should
46 point out though that I can't come up here and
47 give actual landings from vessels. So this is
48 the proportion of HMS landings across. You'll

1 see it goes from zero percent to 100 percent.

2 So if a vessel goes from swordfish --
3 from a heavy swordfish to a heavy shark year, it
4 could just be a drop in swordfish only that looks
5 like a bigger increase in shark, if that makes
6 sense.

7 These are just proportions and
8 percentages. These are not actual levels. But I
9 don't have any answers for the Ecuadorian
10 question.

11 FACILITATOR BROOKS: And Steve, are
12 these presumably fairly representative of the
13 vessels that are out there?

14 MR. DURKEE: No, not necessarily.
15 These are just some ones that jumped out since
16 species switching.

17 FACILITATOR BROOKS: Okay, thanks.
18 Rich.

19 MEMBER RUAIS: Yes, just a quick point
20 to totally agree with Marty on the damage that
21 "Give Swordfish a Break" made and to say that you
22 know bluefin has suffered the problem even worse.
23 Not only do we have the distinction of probably
24 being the poster child for bad fishing for a long
25 period of time but we got stock ID confusion. We
26 get lumped in with -- as we're improving and
27 getting better, we got the Pacific problem to
28 deal with, which is at an extreme low point. And
29 no one draws -- if we get the number of articles
30 across my email a day from New York Times, from
31 every major newspaper across the world talks
32 about don't eat bluefin; don't buy bluefin. It
33 doesn't matter whether it comes from the
34 Atlantic. It doesn't matter whether it comes
35 from the south Atlantic. It doesn't matter
36 whether it comes from the Pacific.

37 And we tried to use FishWatch and I
38 don't know if it's made a material difference but
39 we were very successful in getting FishWatch to
40 improve the description of Atlantic bluefin tuna.
41 And hopefully, over time, that's all you can do
42 is chip away in a strong marketing program that
43 we've been arguing for for quite a while,
44 hopefully with some Saltonstall-Kennedy money or
45 some other money.

46 FACILITATOR BROOKS: Terri.

47 MEMBER BEIDEMAN: Well now you're
48 seeing in graphic terms all the things that we've

1 been saying around the table for quite a while.
2 And you know, Mike, I love that we can look at
3 this data and I guess I can't resist the
4 opportunity to say that because we submit volumes
5 of data, you were able to crank the microscope
6 down and really take a look at what's going on.

7 But we've been warning you. We've
8 been throwing out the red flags for quite a while
9 about the aging issue, about the catches, the
10 imports.

11 So we now have the situation with this
12 comparability in the Marine Mammal Protection Act
13 we didn't talk about that much at this table but
14 it certainly has been a source of discussion in
15 the past. And you know with the resources the
16 Agency has, how they are going to take care of
17 looking to see if we can actually level the
18 playing field.

19 Eight-five permit holders actively are
20 in the longline fleet. Like I said, you know my
21 analysis is a couple years' old but we catch for
22 every bluefin, and we talk about bluefin a lot --
23 for every one bluefin that the pelagic longline
24 fleet interacts with, we catch 100 food fish and
25 most of them feed Americans.

26 So this is a food security issue, if
27 this fleet goes off the brink and we've been
28 mentioning it for quite a while. And we need
29 assistance, as has been brought up by others
30 around this table to recognize that we know
31 there's limits to what you can do.

32 But as we look at the imports coming
33 and this comparability, I really encouraged our
34 HMS division to do what they can to enlighten
35 some of the people that are going to be tasked
36 with doing that and take a look at some of these
37 importers and see. Are they comparable? What
38 kind of gear are they using? Are they doing
39 anything that's close to comparable?

40 And zero mortality rate goal is what
41 we've been held to. And though we may not have
42 completely achieved it, we have done a whole lot
43 in reducing bycatch over the years and we're
44 competing with countries that can't hold a candle
45 to us.

46 You know I'm very pleased to see this
47 information on the thing but I'm saddened to see
48 it at the same time. So, I appreciate the

1 presentation but it is confirmation of things
2 that we've been talking about a long time.

3 FACILITATOR BROOKS: Thanks, Terri.

4 All right, I've got a couple other
5 people in the queue and then we should be pushing
6 to our next presentation.

7 So I'll go over to Andre and then
8 Jeff.

9 MEMBER BOUSTANY: Yes, I just wanted
10 to defend my colleagues at Seafood Watch, the
11 Monterey Bay Aquarium.

12 All U.S. fisheries are listed as
13 either a best choice or a good alternative for
14 swordfish. So I think they do recognize that you
15 are a cut above what other nations are doing,
16 with most foreign swordfish being listed as
17 avoid. So you know in that case, they are
18 definitely I think in agreement with most of the
19 people in this room.

20 But that brings up a good point that
21 there should be some labeling mechanism to allow
22 consumers to be able to tell the difference
23 between those two because I know a lot of the
24 times once these things get to market or on a
25 plate or whatever it is, no one knows where
26 they're from. So, thanks.

27 FACILITATOR BROOKS: Jeff.

28 MEMBER ODEN: Anyway, I heard earlier
29 someone mention there that it's sort of
30 homogenous trying to figure out what specifically
31 caused all this decline. Well, from my
32 perspective, it is just essentially is someone
33 within our North Carolina Fisheries Association
34 likes the term death by a thousand cuts. I mean
35 it essentially is.

36 I mean I saw a cost analysis there.
37 For instance, fuel is going down but bait is
38 going through the roof. You know it's just
39 demand different things.

40 We've got A7 here. I think that's
41 kind of being forgotten. I mean their area is
42 not a great producer but it certainly did
43 contribute. And you know it's just a myriad of
44 little incursions that have curtailed our
45 abilities.

46 And in my case, I given up lately over
47 the 100 percent observer coverage. I'm not going
48 to -- with a small boat, I'm not dealing with it.

1 And secondly, I think probably in the last few
2 years one of the greatest things in our winter
3 fishery it's been a horrific weather. I mean
4 Marty will tell you that. Even Marty stays in.
5 And I mean that's been a big contributor from
6 what I've seen.

7 But anyhow that's --

8 FACILITATOR BROOKS: Thanks. We need
9 to push. Marty, can you make that fast?

10 MEMBER SCANLON: One thing that we
11 should remember is that like in the Pelagic
12 Longline Take Reduction Team, when we're looking
13 to minimize interactions, there are two things
14 that come to mind. And the two most important
15 elements of avoiding is communication protocol
16 and the ability to move. And it holds true with
17 our targeted species also is that the
18 communication protocol amongst the fleet are
19 where the fish are being caught and the ability
20 to go to areas that are now inaccessible to us,
21 to get the ability to reopen those areas so when
22 the swordfish are there, we can go there and
23 target them. So that's an important thing to
24 look at there, as far as that is concerned, too,
25 is our ability to better access to the swordfish.

26 FACILITATOR BROOKS: Thank you very
27 much. And as Margo just said in my ear, that is
28 a great segue to the next topic, which is looking
29 at area-based management.

30 MS. SCHULZE-HAUGEN: Just part of what
31 we were trying to do was provide a whole series
32 of information, data points that we have, but
33 ultimately to the view of where can we put our
34 best resources to helping where we can. Not
35 everything is within our purview. Fuel prices --
36 out of my hands, but there are some things.

37 And we also are trying to fold in kind
38 of some of the input that we got from you all in
39 the spring in priority areas. And so this is one
40 some of the bigger ticket items that need some
41 more discussion, more thought, kind of the next
42 step. Sorry if I stole your thunder.

43 FACILITATOR BROOKS: Steal away.
44 Craig, it's all yours.

45 MR. COCKRELL: All right, thanks,
46 Bennett and thanks, Marty, for the transition
47 there.

48 Yes, so I'm doing a presentation here

1 on pelagic longline closed area and gear
2 restricted area issues and options. You know
3 this is kind of a quick background of some of the
4 issues that we've heard over the past couple of
5 years and then some of the options that we've
6 been brainstorming in the division.

7 So, background issues. You know a lot
8 of the time/area closures were created in '99 and
9 2000 and 2001. Specifically in '99, we created
10 the June Northeast closure for bluefin tuna. And
11 then in 2000 and 2001, we created the East
12 Florida Coast, DeSoto Canyon, Charleston Bump
13 areas for juvenile swordfish, billfish, and
14 sharks, and also protected resources
15 interactions.

16 And since that time, we've had little
17 to no data on the catches and catch rates from
18 these areas.

19 And then in 2015, we established gear
20 restricted areas via Amendment 7. So, it was the
21 Cape Hatteras area. And the Cape Hatteras area
22 does have qualified access criteria. So it's not
23 closed to all pelagic longline vessels but closed
24 to those that don't meet that qualified access
25 criteria.

26 We also had the Gulf of Mexico gear
27 restricted area. And that is close to all
28 pelagic longline vessels from April to May.

29 And in Amendment 7, we did commit to
30 a review of the GRA efficiency of both the Gulf
31 of Mexico and the Cape Hatteras areas.

32 And since A7, we've had this increased
33 individual vessel accountability but we've had
34 decreased PLL effort and swordfish landings.

35 Also another agency priority is
36 revitalizing the U.S. swordfish fishery. And
37 also when we were here in the spring in 2017 or
38 well, this year, area-based management was
39 identified as a priority.

40 And here, I've pulled out some of the
41 area-based sections that we had in the dot
42 exercise. And as you can see, pretty much every
43 group here identified some areas of priority
44 related to closed areas and gear-restricted
45 areas.

46 I will mention the last one here was
47 a write-in from an AP member and wasn't one that
48 was provided by the Agency.

1 So here's just a time line, real
2 quick. I won't hit the things that I've already
3 hit but, as you can see, in 2000 we also
4 implemented VMS for compliance with the time/area
5 closures and GRA boundaries.

6 And in 2008, we issued an EFP for
7 research in the East Florida Coast and the
8 Charleston Bump, a three-year study that was to
9 investigate catch rates and bycatch rates between
10 the closed areas and the open areas.

11 In 2017 we talked about it, now we've
12 authorized one year of research for essentially
13 the same thing in the East Florida Coast.

14 So here's just a quick map. This is
15 the gear-restricted areas and closed areas that
16 are managed right now for the pelagic longline
17 fleet. Closed areas are in pink and gear-
18 restricted areas are in blue.

19 So some of the options that we've been
20 brainstorming here in the division for at least
21 the current closed areas are -- well, one option
22 is just to maintain status quo and maintain the
23 time and areas for the current closed areas.

24 One is to continue to issue EFPs. And
25 so that would just be collaboration between
26 pelagic longline vessels and researchers to
27 evaluate the catches and catch rates in the
28 closed areas.

29 Another one that we were thinking
30 about is establishing a research fishery. And so
31 this would be similar to the shark research
32 fishery, where we would have an annual
33 application period where vessel owners would
34 apply to be a part of the research fishery. And
35 then with observer coverage, they would be able
36 to go into those closed areas and get data
37 collected.

38 So the next one, observer-based
39 access, this is similar to an alternative that we
40 analyzed in Amendment 7, and this would be
41 granting access to PLL vessels that also had an
42 observer onboard. And that would be across the
43 fleet.

44 Another thing would be conditional
45 access. So this would be, we would establish
46 some sort of performance criteria for each area
47 and then those vessels that met that criteria
48 would have access to the areas.

1 So the next one here, bycatch caps, so
2 this would be just caps either for vessels or
3 areas. You know we definitely have been flexible
4 in the thought process for this one. And those
5 caps could be for a variety of different species
6 as well.

7 And then lastly, just you know kind of
8 a bookend here is opening portions or entire
9 areas that are currently closed.

10 And then part of this presentation is
11 to know or to have you guys provide us feedback
12 with anything that we might have missed.

13 So just some pros/cons that we came up
14 with for the potential options here. So status
15 quo, you know we've heard from folks around the
16 table here that you know yes, they're great at
17 limiting bycatch of fish that really we don't
18 want caught on pelagic longline but they may
19 limit swordfish landings as a con. And it's
20 viewed by the industry folks as unnecessary,
21 given other bycatch reduction measures.

22 Exempt fishing permits, you know a
23 pro. It is pretty limited in their scope. And
24 it would get us the data collection that we would
25 like to get out of these areas. And it gives us
26 the ability to set terms and conditions on
27 monitoring and catching reporting.

28 A con there would be observer costs
29 and increased coordination with researchers,
30 getting researchers that are actually interested
31 in the closed area issues.

32 As far as a research fishery, a pro
33 here I think the big thing is it would give the
34 fleet an opportunity to try to get into the
35 research fishery. So, it wouldn't preclude any
36 folks from applying.

37 A con would be you know observer costs
38 and increased inseason monitoring costs.

39 Observer-based access, again, this
40 would be -- a pro would be just controlled access
41 for the entire fleet. But a con, again, would be
42 increased observer costs and it could preclude
43 smaller vessels that can't take observers.

44 Conditional access. This would allow
45 a subset of the fleet, provided they met the
46 criteria. But a con would be administrative
47 burden on our end as far as trying to determine
48 which are the appropriate conditional access

1 measures. And you know not all vessels would
2 qualify for the areas.

3 Bycatch caps, a pro here would be a
4 more targeted approach to limiting bycatch of
5 certain species but a con would be it would be
6 difficult to quantify the appropriate caps for
7 certain areas, given that we don't have the data
8 from those areas.

9 And then open portions of the entire
10 area, a pro would be it would be the least
11 restrictive but a con would be it would be very
12 controversial and we really wouldn't know what
13 we're getting into once we open those areas.

14 So just a little bit on the current
15 GRAs. So, we have the Gulf of Mexico GRAs and
16 the two areas that we set up to try to reduce the
17 interactions with bluefin tuna and pelagic
18 longline vessels. And these are closed to all
19 vessels, again, from April 1st to May 31st and
20 there are no performance metrics.

21 The Cape Hatteras area, you know we
22 have identified this as a very high concentration
23 of bluefin interactions by a small number of
24 vessels. So, we went forward with the
25 conditional access measures and we actually this
26 year, 101 out of 108 active vessels were
27 qualified for access for the area.

28 And this area is closed from December
29 1st to April 30th.

30 So some of the things, this is kind of
31 a combined slide here, some of the things we've
32 been thinking about for current gear-restricted
33 areas would be adjustments to the time and
34 boundaries of the areas. So a pro here could be
35 we could -- it would be responsive to any changes
36 in bluefin interactions with the gears, whether
37 they have shifted in time and space. And it also
38 may give flexibility to the fleet and would be
39 more reliant on the individual accountability
40 measures.

41 A con would be you know if we did any
42 kind of incorrect adjustments. We could have
43 either negative economic impacts to the fleet or
44 increased bluefin interactions if we make the
45 wrong shift.

46 If we modified any of the -- the
47 second one here, if we modified any of the
48 changes or the performance metrics, a pro here

1 would be it would provide some flexibility to,
2 again, changes in the fishery that have happened
3 since Amendment 7 and it could increase
4 avoidance, depending on how we make those
5 changes.

6 A con would be you know the fleet
7 physically having time to adapt to those new
8 changes of the new metrics. And it may not work
9 in the Gulf of Mexico, again, because those
10 interactions are spread across many vessels. And
11 also just increase administrative burden of
12 figure out what metrics really would be the best
13 to go with.

14 And then the last one here is just
15 considering adding an additional performance
16 metric for electronic monitoring and that would
17 basically just be on-time hard drive submission.

18 So a pro would be consistent with the
19 goal of analyzing reporting data streams. But
20 then again, just a con would just be, again, to
21 increase the administrative burden of adding new
22 metrics and criteria and evaluating those from
23 year to year.

24 So, next steps. Yes, this was, again,
25 meant as an informative presentation and really
26 to get the discussion rolling here on whether
27 there are any options that we should consider for
28 either the current closed areas or the gear-
29 restricted areas.

30 And with those options, should we
31 pursue regulatory changes? And again, a likely
32 step after that would be an issues/options or a
33 scoping document with a public comment period.

34 And the last question: Should we
35 steer away from regulatory changes? And should
36 we pursue non-regulatory changes as far as data
37 collection and/or research in the areas?

38 So, with that, we'll take questions
39 and comments.

40 FACILITATOR BROOKS: Okay, thanks,
41 Craig. So again, just I think what would be
42 helpful at this point is just get an initial
43 flavor, an initial reaction to some of the ideas
44 that HMS folks had put out there just for them to
45 chew on.

46 Anyone want to jump in on that?
47 Terri, then over to Marty and then Katie.

48 MEMBER BEIDEMAN: Well, okay. We've

1 talked about this also forever, it seems. And
2 you know I think that the lesson learned here is
3 to make sure that you have provisions to do
4 research into areas that are closed, while you
5 are closing them, so that you don't have to go
6 through this again and that's, I'm sure, putting
7 it mildly, of trying to get critically needed
8 science. This is supposed to be a management
9 process that is grounded in science. And having
10 closed areas for decades with no information is
11 not very scientific.

12 So, I'm going to say that there's
13 probably a lot of things but you were willing to
14 put as a preferred alternative in Amendment 7
15 allowing people to go in the closed areas and
16 fish normally, not NMFS trying to fish, and have
17 observer coverage 100 percent and collect the
18 data, and still have the opportunity, if things
19 did not look good, to discontinue that.

20 And for political, more likely, than
21 scientific reasons, you opted not to do that.
22 And that would have provided some of the science
23 that some of these research projects are having
24 to go through. It's a pretty high bar that's
25 being set for the U.S. and it's pretty expensive.
26 And your average Joe isn't likely to be able to
27 afford all those bells and whistles. I think a
28 human observer aboard can collect the data and
29 verify and document what's there.

30 So you know I think that's the least
31 burdensome and you don't have to mess around with
32 trying to add more metrics.

33 So, that's my opinion. That's been my
34 opinion for a while.

35 FACILITATOR BROOKS: Thanks,
36 appreciate it.

37 Marty.

38 MEMBER SCANLON: Yes, you've already
39 demonstrated through the A7 process the ability
40 to produce 100 percent observer coverage in an
41 area that you wanted to have the data collected
42 from.

43 And being the case, I've been in favor
44 of doing the same thing in the area of the
45 Charleston Bump area, as well as under A7, where
46 we identified in the Gulf of Mexico areas that do
47 not have any bluefin interaction, what time of
48 the year, and what areas in the Gulf that they do

1 not have bluefin interaction.

2 So I would prefer that we have some
3 sort of access and for the NMFS to use that
4 observer coverage to look at those areas. I mean
5 to continually just observe blindly like we are,
6 you know every quarter we get an observer, and
7 basically doing the same thing over, and over,
8 and over again, you know to utilize our observers
9 and that type of science to better benefit the
10 industry and move it forward. And looking into
11 those type of areas, you know the Gulf of Mexico
12 where there is no bluefin interaction and the
13 Charleston Bump area in specific.

14 Thanks.

15 FACILITATOR BROOKS: Katie.

16 MEMBER WESTFALL: Thanks. First, very
17 grateful that the Agency is exploring this. I
18 think we're very ripe for this conversation,
19 given all the changes in the fishery.

20 Just a few high-level comments. In
21 general, we support more tailored, accountable
22 approaches that focus on precise output controls
23 to manage the mortality of bycatch species, of
24 protected species as opposed to broad sweeping
25 input controls like large closed areas, which can
26 be very blunt and don't allow the flexibility for
27 the fleet to catch their target species.

28 I think in order to have an informed
29 discussion on this, we do need additional
30 analysis and research on how some of these closed
31 areas, particularly the ones closed primarily to
32 rebuild swordfish are performing and needing
33 updated conversation goals and conserving species
34 that are currently on the overfishing and
35 overfished list, as well as alternative ways that
36 we can achieve that conservation and maybe, in
37 some cases, more efficiently.

38 FACILITATOR BROOKS: Great. Thanks,
39 Kate. That's helpful.

40 Okay, well, we will, I'm sure, be
41 coming back to this. And I can imagine a very
42 good discussion at the spring meeting.

43 So, I think Craig's going to stay up
44 here and talk about weak hooks in the Gulf of
45 Mexico.

46 MR. COCKRELL: All right. Yes, I'm
47 going to keep going here. I've got a really
48 quick presentation here on weak hooks in the Gulf

1 of Mexico.

2 So just a little bit of background
3 here. Weak hooks were implemented in 2011 to
4 reduce catches of bluefin tuna in the Gulf of
5 Mexico, a primary spawning ground of bluefin
6 tuna.

7 In 2011, we had a large year class
8 that was approaching maturity and was expected to
9 enter the Gulf of Mexico to spawn for the first
10 time. And so you know that's why we thought it
11 was important to get these measures in place.

12 At that time, the western Atlantic
13 stock was overfished and overfishing was
14 occurring.

15 From 2008 to 2010 there was a study on
16 weak hooks, weak circle hooks and that research
17 indicated that bluefin tuna catches could be
18 reduced by more than 50 percent.

19 And the results for other species were
20 mixed. Some target species, catches would
21 decline and specifically, white marlin catches
22 would increase.

23 One thing to note here, though, as far
24 as statistical significance, the bluefin tuna
25 caught and the wahoo caught were the only two
26 reductions, at least on this table, that were
27 statistically significant in that study.

28 And so where we are now, we
29 implemented, again, the weak hooks in May of
30 2011. In 2015 we implemented the gear restricted
31 areas, individual bluefin quotas with Amendment
32 7, and then also required bluefin reporting with
33 VMS after each set.

34 Fishermen have given us anecdotal
35 reports of losing marketable target catch,
36 especially swordfish as a result of the weak
37 hooks. And at this year's meeting, AP members
38 noted that we should reevaluate weak hook
39 requirements. And a specific suggestion was to
40 remove the requirements because they're redundant
41 with IBQs. And we should also require weak hooks
42 only when bluefin are present in the Gulf of
43 Mexico.

44 So, next steps. Should we reevaluate
45 the weak hook requirements, we realize that the
46 first step would probably be doing a detailed
47 evaluation of catch and catch rates of bluefin
48 tuna and target species and bycatch for

1 discussion at the 2018 spring AP meeting.

2 This could include consideration of
3 seasonal impacts of bluefin present in the Gulf
4 of Mexico and the need for weak hooks, in
5 addition to the Gulf of Mexico GRAs and IBQs.
6 And we're asking if there are other factors that
7 we should consider related to weak hooks.

8 And are there other management options
9 NMFS should consider for weak hooks in the Gulf
10 of Mexico, outside of the things that I've
11 discussed in this presentation? And should we
12 pursue non-regulatory options -- research and
13 data collection, again, on weak hooks in the Gulf
14 of Mexico?

15 And just a note here that any weak
16 hook measures that we may consider would be
17 outside of the options that are being considered
18 by PLTRT while they're developing things in the
19 Atlantic Ocean.

20 FACILITATOR BROOKS: Thanks. Any
21 comments or feedback? Could you put those
22 questions back up there?

23 Any feedback from AP members on any of
24 these questions?

25 Marty, then Andre.

26 MEMBER SCANLON: Well, the weak hooks
27 are really a redundancy of what you're trying to
28 accomplish in the Gulf. The IBQs make the weak
29 hook irrelevant. So I mean that's the control.
30 The control is the IBQ. There's no need, any
31 longer, for the weak hook in the Gulf of Mexico,
32 as a result of that.

33 FACILITATOR BROOKS: Andre?

34 MEMBER BOUSTANY: I would just say yes
35 to the questions that you put on the last slide
36 in regards to should NMFS reevaluate weak hook
37 requirements.

38 We have a few years of data now, since
39 the weak hooks have been implemented and
40 including a year or two of IBQ. So to look at
41 the various effects of those I think would
42 definitely be worth the effort in time for the
43 spring meeting. So if you do have the time, I
44 think that would be a very good thing to do.

45 FACILITATOR BROOKS: Thank you.

46 MEMBER BOUSTANY: Just real quick on
47 that, especially as some of those trends we saw,
48 especially in swordfish catch you know down 40

1 percent or whatever, with a larger sample size
2 you may end up getting different trends. And if
3 that was not a significant amount, you may have a
4 large enough sample size now to actually find
5 significant results in some of those things and
6 that would be informative.

7 FACILITATOR BROOKS: Terri.

8 MEMBER BEIDEMAN: Well, I believe at
9 the time when it was put in, there was no really
10 good reason to have it after July in the year,
11 other than it was easy for enforcement. And
12 that's not really a -- no offense to enforcement
13 but there's not need to have it after July
14 anyway.

15 Now we've come in with more closed
16 areas and IBQ. It certainly is very redundant
17 and unnecessary. I laugh every time I think
18 about the description of rubber hooks, which is
19 what they used to say.

20 But you know if you want people to
21 catch swordfish with hooks in the Gulf of Mexico,
22 you're going to have to remember that the so-
23 called strong hooks, circle hooks had a 30
24 percent reduction in the retention of swordfish.
25 They were terrific for eliminating turtles and
26 that's why they were implemented but they caused
27 a significance reduction, it was documented in
28 studies from the banks, and I always suspected
29 that it probably had an even higher impact on the
30 coastal fleets because it really wasn't tested
31 there. It was just implemented everywhere.
32 Expediency, I understand.

33 But yes, I think it's definitely
34 overkill.

35 FACILITATOR BROOKS: Thanks.

36 MS. SCHULZE-HAUGEN: So just one thing
37 I'd asked folks to think about when we talk about
38 things being redundant with the IBQ and the IBQ
39 is controlling is that I think is a valid point
40 and something we will certainly consider.

41 But if we were to remove some of the
42 other measures that have the effect of reducing
43 bluefin interactions, then someone could have
44 real problems with managing their IBQ. And if
45 IBQ is the only controlling thing, then that may
46 become a new problem, where suddenly we have real
47 problems and people are out of the fishery
48 because of a disaster set or some bad decisions

1 that now these other measures are helping avoid.

2 So I would think about that, if that's
3 really you want to move to just one measure that
4 really you're on your own, you're in or out.

5 So think about that as we think about
6 this.

7 FACILITATOR BROOKS: Let me go over to
8 Rich and then, Marty, I'll let you weigh in on
9 that.

10 MEMBER RUAIS: Yes, just quickly, just
11 prior to Margo's comment I agreed with all three
12 prior comments. I think this is an issue between
13 Blue Water and the scientists. And if the study
14 can be done and it shows that, that ought to
15 determine which way it wants to go.

16 In terms of Margo's comment, we're
17 assuming that in the future, if progress
18 continues on bluefin, that the entire western
19 Atlantic quota will be going up until it's more
20 closer to its MSY, which is theoretically 3,060
21 metric tons, which gives us almost 800 more tons
22 or 1,000 more tons to go. And we assumed that
23 the IBQ program will get a piece of that, some
24 sort of proportional piece. Maybe somebody can
25 argue about that in the future. Not me.

26 But in any case, ABTA's Executive
27 Committee supports what Andre is saying, Terri is
28 saying, and Marty is saying, and to an extent,
29 Margo's comment.

30 FACILITATOR BROOKS: Marty.

31 MEMBER SCANLON: In response to what
32 you just said there, Margo, during A7 one of my
33 complaints against the agency was that you didn't
34 give us any increase or any additional measures,
35 or ability, or tools to reduce our interactions
36 with bluefin. You just simply gave us an IBQ and
37 said it's on you to reduce your interactions.

38 So you said this here but during the
39 A7 process that's not how you conducted it. You
40 basically left the onus on the fishery fleet
41 itself to reduce their interactions.

42 MS. SCHULZE-HAUGEN: So I hear you and
43 I remember that comment. Part of the reason we
44 implemented GRAS in conjunction was because of
45 that high interactions or consistent interactions
46 across particular areas. Those were deliberately
47 included as an insurance so that people didn't
48 have problems as they were transitioning.

1 And so I wouldn't quite agree with
2 that statement. And so the removal of them, if
3 that's ultimately where we end up, would mean
4 then it solely is the IBQ that is controlling.

5 FACILITATOR BROOKS: Jeff.

6 MEMBER ODEN: Just one quick comment.
7 White marlin, I believe, are overfished. And a
8 52 percent increase, that's all the more reason
9 to, when possible, allow these guys a flexibility
10 to fish with the proper hook there to catch
11 swordfish.

12 Anyhow, I can certainly understand
13 when the bluefin are around, I would be in
14 agreement with that. Actually a friend of mine
15 in our area is actually doing it now during the
16 winter off our coast. And I'm sure he'd love to
17 do a study with somebody, if they'd like to climb
18 on his boat. He's using those hooks and he's
19 having fair success with it. But you know, he's
20 seen an awful lot of straightened hooks but he is
21 at least fishing and surviving under the current
22 climate there.

23 But anyway, I just thought I'd throw
24 that in.

25 FACILITATOR BROOKS: Thanks. We'll
26 take one more comment on this. Michael.

27 MEMBER SISSEWINE: It's really
28 questions about slide 3, which has the
29 experimental results. And so just to be clear,
30 the last row on white marlin/roundscale
31 spearfish, that 52 percent is not significant
32 statistically.

33 MR. COCKRELL: That's correct.

34 MEMBER SISSEWINE: And also just
35 logically, it's hard to logically think of a
36 reason why a weak hook would be more likely to
37 catch a fish than a strong hook.

38 So you know I take it as it's not
39 significant and, therefore, I don't put any
40 importance to it.

41 I am curious, though, about the minus
42 41.2 percent. What you said indicated that
43 that's not significant either. Am I correct?

44 That implies that if that number is
45 not significant and the wahoo number and the
46 bluefin numbers are, that the catch rate in this
47 experiment of swordfish was substantially more
48 variable than for wahoo and bluefin. And if

1 that's true, it makes wonder how representative
2 the experiment is of the actual fisheries that
3 target swordfish.

4 If the weak hook thing is going to be
5 removed anyway, then that's an interesting
6 comment that probably is not important in terms
7 of the future.

8 But again, you would expect that the
9 catch rates on swordfish would be less variable
10 than some of the others and higher and,
11 therefore, more likely to be statistically
12 significant if you have a similar sort of
13 reduction.

14 FACILITATOR BROOKS: Makes sense.

15 Thanks.

16 All right, I think we should push to
17 the last presentation in the set, which Tom,
18 you're going to talk to us about update on the
19 IBQ program and the three-year review.

20 MR. WARREN: Thank you. My name is
21 Tom Warren. I'll be giving you a brief update on
22 the IBQ program, as well as the three-year
23 review.

24 This is a summary slide of a lot of
25 data of pelagic longline bluefin tuna catch from
26 2012 to 2017. It shows both landings and dead
27 discards and compares those data to the base
28 quota, as well as the adjusted quota for the
29 years.

30 The topics to focus on are those in
31 the highlighted cells and, in particular, the
32 difference between the years prior to 2015 and
33 the years subsequent to 2015, including 2015.
34 And you recall 2015 was the year of
35 implementation of Amendment 7 and the IBQ
36 program, as well as some of these new GRAs.

37 The percentages and the quotas are a
38 little messier with respect to take home messages
39 because they are kind of apples and oranges with
40 respect to how dead discards were included or not
41 in the quotas. And the differences in the
42 percentages on the right-hand column reflect both
43 differences in catches, as well as kind of
44 differences in the magnitude of the quota.

45 So that being said, look at the third
46 column over, total catch, and you'll see the
47 difference between 2014, where the total catch is
48 208 metric tons versus 2015, which is 63 metric

1 tons. And these catches do not include the
2 Northeast Distant Area.

3 And the difference in total catch is
4 due both to the difference in the amount of
5 landings, as well as the dead discards. And
6 these dead discard calculations were done the
7 same method from 2012 through 2016. That is,
8 using observer data and logbook data; the
9 observer data on numbers of bluefin discarded
10 extrapolated based on logbook effort data.

11 So the take-home message is a reduced
12 catch with the onset of Amendment 7 in 2015.

13 This shows pelagic longline landings
14 of bluefin by month from 2014 to 2017. A similar
15 overall pattern by month with 2014 showing higher
16 levels of landings. Notable are spikes in June
17 for the last couple of years of 2016 to 2017.
18 This 2017 data is only through July. And also a
19 notable spike in November of 2015. That's due in
20 part by high Northeast Distant Area landings.

21 Some of these other spikes, the June
22 spike in 2016 was due to a highly concentrated
23 area off New England.

24 Individual bluefin quota debt by month
25 from 2015 to 2017 showed different patterns every
26 year. Essentially, though, these patterns most
27 likely reflect landings patterns. 2015, the blue
28 line, shows a spike in the summer months and
29 another spike in November. And the 2016 year in
30 red shows a large spike in quota debt during the
31 summer months. And, in contrast, lower overall
32 levels of quota debt in 2017.

33 Of note, the difference between 2015
34 and 2016 are the different rules in play. During
35 2015, the first year the program vessels weren't
36 required to account for their debt or have a
37 minimum amount of bluefin to go fishing. So that
38 debt could accrue throughout the year. So that
39 dynamic has some interaction here also.

40 This table summarizes leasing data,
41 2015, 2016 and 2017 through July, showing number
42 of distinct shareholders leasing, the number of
43 lease transactions, total pounds leased, and the
44 average price per pound for leasing. And this is
45 a weighted average.

46 The overall trend is increasing
47 numbers of shareholders leasing over time, that
48 is from 2015 to present, higher numbers of leased

1 transactions, increasing pounds leased, and then
2 a decrease in average price for those leases.

3 I'll now jump to the three-year
4 review. The three-year review is a Magnuson-
5 Stevens requirement or not a three-year per se
6 but a formal review of a catch year program is a
7 Magnuson-Stevens requirement.

8 Amendment 7 chose to implement a
9 review after the first three years of the
10 program, so as to not have too much time pass
11 before potential change are made and a full
12 formal evaluation completed.

13 This time line we presented at the May
14 AP meeting, so it may be familiar. The time line
15 is driven in part by the availability of data.
16 So, the years in review, 2015, 2016, and 2017 are
17 those in question. The 2017 data won't be fully
18 available until well into 2018. So that, in
19 part, sets the time line. So in giving a brief
20 progress report now, we'll show some preliminary
21 data next spring, with the draft documents a year
22 from now, and then the final document in the
23 subsequent spring.

24 Also noted for your reference is the
25 fact that a potential framework action or a
26 proposed final rulemaking that relates to the IBQ
27 program is a separate time line and basically a
28 separate process running in parallel.

29 So, so far we showed you the guidance
30 for conducting catch year reviews in May. We
31 showed some draft metrics, essentially potential
32 ways to evaluate whether the program objectives
33 are being met and solicited input and presented
34 that time line.

35 Since that time, we've developed a
36 draft outline of the three-year review program
37 document based on the guidelines, developed a
38 spreadsheet of data elements and sources that
39 we'll need to pull this together, and started the
40 data compilation.

41 The next three slides show the outline
42 for this document. First, there's a background
43 section, including a purpose and need; and
44 overview of the fishery, need for catch share;
45 IBQ program objectives; and some of the key
46 features of the program and events -- what quota
47 distributions have occurred, what regulatory
48 changes, et cetera.

1 And then the second portion of the
2 document will be heavily the data focus, a
3 description of methods. There are standard
4 performance indicators that NMFS uses across the
5 board to evaluate catch share programs. So
6 there'll be figures and summaries also -- excuse
7 me -- figures and tables.

8 And then we'll get into some data on
9 related topics that are not inherent to the catch
10 share program, per se, but closely linked, such
11 as electronic monitoring, maybe some information
12 on the repose vessels, the Deepwater Horizon
13 repose project, and where relevant, the purse
14 seine fishery because the vessel are leases to
15 and from the purse seine fishery.

16 And then the last portion of the
17 document will be the analysis of the objectives
18 and conclusions. And this, of course, is pending
19 completion of the data. So, we can't get started
20 on this yet.

21 And then any suggested modifications
22 to the IBQ program. Do we want to recommend
23 tweaks, or substantive changes, or no changes,
24 such as modifying allocations, allow permanent
25 sale of IBQ, share caps, or cost recovery
26 recommendations?

27 And as I understand it, the guidance
28 leaves some flexibility with respect to whether
29 there are or are not any suggested modifications.
30 So, this would be a jumping off point for then
31 discussion with you all and next steps.

32 Thank you.

33 FACILITATOR BROOKS: Thanks, Tom. Any
34 questions on the three-year review? Please,
35 Michael.

36 MEMBER SISSEWINE: Yes, thank you,
37 Tom. It looks like you know you are using a very
38 reasonable and straightforward approach that
39 should provide some good information.

40 I just wanted to comment, though, that
41 in this case, I mean the fishery isn't about
42 bluefin tuna, even though that's what the IFQ is.
43 It's about a pelagic longline fishery that is
44 targeting other things.

45 So I assume in the analysis and the
46 economic metrics and so forth will more broadly
47 look at the performance of the fishery, a multi-
48 species fishery, not just the landings of

1 bluefin. Is that correct?

2 MR. WARREN: Yes.

3 FACILITATOR BROOKS: Thanks. Pat?

4 MEMBER AUGUSTINE: You pretty well
5 covered my concern. A question now.

6 Will this be available when, as early
7 as May 2018? It seems like you've done a
8 tremendous amount of work and there's still a lot
9 to go. You're projecting to completion?

10 MR. WARREN: Let me backtrack here.

11 Preliminary data, so what data that we
12 have tabulated and available we'll share,
13 consistent with our philosophy of sharing as we
14 go, to give you a flavor for what's been
15 compiled.

16 MEMBER AUGUSTINE: Thank you.

17 MR. SCHALIT: A very good
18 presentation, Tom. I have a question about a
19 comment you made and also about slide number --
20 what is it -- page 3, actually.

21 On page 3, you mentioned that there is
22 a spike in landings of bluefin in 2017 and also
23 2016. Do you have any idea where those landings
24 -- where those fish were caught?

25 MR. WARREN: The 2016 landings were
26 east of the June closure area. The 2017 landings
27 I haven't analyzed where those are from, whether
28 it is a diffuse area or concentrated.

29 MR. SCHALIT: I have one more thing.
30 You made reference to something I wasn't sure I
31 understood. Are you saying that some of the
32 changes that you might want to make to the IBQ
33 program are frameworkable and some aren't and so
34 there would be two parallel regulatory processes?
35 Is that what I'm hearing?

36 MR. WARREN: I was referring more to
37 concurrence proposed rulemaking can occur
38 independently. But with respect to your
39 question, yes, some arguably would be
40 frameworkable and others more substantive. We'd
41 need an amendment.

42 FACILITATOR BROOKS: Thanks. I've got
43 Rich, then Shana, then Jeff -- no, then Marty.

44 MEMBER RUAIS: I was going to defer to
45 Marty, since it's more of his issue but David
46 actually asked some of the questions that I was
47 wondering as well.

48 So we could see a -- I mean you don't

1 see this as requiring a full-blown amendment, you
2 see it something as less than that in order to
3 meet the commitment you made in Amendment 7 that
4 in three years it would be reviewed and, in that
5 document, you provided some options on what it
6 might be. It might be an extension. It might be
7 a taking of a quota. It might be allowing them
8 to sell based on some generation time or
9 something like that. You made a number of
10 thoughts that were prevailing at that time.

11 So the first question is just that.
12 Are we looking at another amendment for that?

13 MS. SCHULZE-HAUGEN: So what we're
14 trying to lay out is that there is statutory
15 requirements to do a formal review. A formal
16 review and that is part of what this going to be.

17 We also made commitments in Amendment
18 7 to revisit a number of management measures that
19 are independent from the statutory formal review
20 requirements. And so what we're anticipating is
21 a couple of simultaneous tracks, where we're
22 going to do the formal review and meet the
23 statutory requirements but also we'll be looking
24 at all of the things that we said we would look
25 at in Amendment 7. Those are going to be
26 happening at about the same time.

27 I think we probably, for some of the
28 measures that we know we need to do, such as you
29 know permitted sale considerations, those are
30 likely FMP amendments -- I don't really see that
31 they wouldn't be -- and whatever recommendations
32 may come out. I mean I think there's a high
33 probability that we'll be looking at an
34 amendment.

35 MEMBER RUAIS: Yes, I just want to
36 follow-up that there was also, during the public
37 hearing process at least, I don't know if it made
38 it into the document, I know those other options
39 that I referred to did make it into the document
40 because I've read it carefully but we have a lot
41 invested, general category, harpoon category,
42 angling category, we all have a lot invested in
43 the IBQ program in terms of that's where it
44 originated.

45 Part of the promise was that we might
46 be considered at that point in time, as well, in
47 any distribution that might or resolution I
48 should say of the IBQ system.

1 The second point I wanted to make,
2 this might be a source for your -- of a quota for
3 potential disaster sets in some portion. Some
4 portion of it might be -- you know it would
5 address a lot of people's concerns around the
6 tables that a disaster set could be tapped for
7 that.

8 Thank you.

9 MS. SCHULZE-HAUGEN: Okay.

10 FACILITATOR BROOKS: Thanks, Rich.
11 Shana.

12 MEMBER MILLER: Thanks. And thanks,
13 Tom, for this presentation. My comments -- and
14 I'm moving into comments, not questions. I hope
15 that's okay.

16 My comment is more general both to all
17 the presentations that we saw in this segment, as
18 well as the IBQ flexibility presentation
19 yesterday, that all the discussion is on lifting
20 regulations. And it was my same comment when we
21 did that dot exercise at the last meeting. And
22 you know all these regulations were put in place
23 for a reason. And you know to me, the burden of
24 proof should be on those reasons going away. You
25 know the 2017 swordfish assessment shows that the
26 population is right at BMSY. We're not in like
27 -- we're not way above BMSY, as people might have
28 thought was going to happen. And the preliminary
29 management advice is actually to decrease the
30 swordfish quota. So obviously, we're way below
31 our quota.

32 But still, it seems kind of premature
33 to be talking about rolling back all these
34 regulations at this point. You know we have the
35 IBQ program which, as Mike pointed out, it's a
36 big decrease in bluefin but what about target
37 catch? You know swordfish catch has been
38 relatively consistent since the IBQ went into
39 force.

40 To me, it is a smashing success. We
41 have this three-year review that is going to go
42 underway. We had the final rule earlier this
43 year to change the way it's distributed in season
44 to increase flexibility. Yet, here we are
45 talking about increasing flexibility through this
46 accountability, you know changing from a trip
47 level accountability. To me, the concern about
48 going to end of year accountability is all of a

1 sudden everyone is scrambling to get IBQ and it's
2 all gone.

3 And so I just I think that's really a
4 dangerous way to go forward. Maybe quarterly.
5 You know at least it gives you some time to
6 figure out what you're dealing with and make
7 adjustments as needed.

8 And then for the closed areas, same
9 thing. You know there is this EFP that is going
10 to be very carefully scrutinized to look at the
11 East Florida Coast closed area. And if there's
12 any talk of reopening the other closed areas or
13 changing the boundaries, it seems like some
14 similar scrutiny is required. I mean there are
15 reasons why each of those closed areas went into
16 place.

17 And you know if, like I said, the
18 swordfish, the assessment isn't as great. So
19 even if you're looking at the juvenile swordfish,
20 you know that is something that needs to be
21 looked at carefully. And yes, EFPs are expensive
22 but, in some ways, it's the cost of doing
23 business.

24 I'll stop there. But I just am a
25 little concerned by all this focus on weakening
26 the protections that have been put in place after
27 a lot of analysis and a lot of discussion.

28 Thanks.

29 FACILITATOR BROOKS: Thanks, Shana.

30 Marty, I'll give you the last -- oh.
31 Marty and then over to Jeff.

32 MEMBER SCANLON: Well I would
33 certainly ask the industry's help in any
34 questions that may come up through this process,
35 as far as developing this further here. And
36 that's really all I have to comment on right
37 there.

38 You know if there are some verifying
39 question you have to ask of somebody that's in
40 the fleet or may have some basically inside
41 information on why there might be some peaks, or
42 this, or how we can help, we are certainly
43 available to contribute to that.

44 FACILITATOR BROOKS: Jeff.

45 MEMBER ODEN: To Shana's concern on
46 the end of year accountability, you know I
47 understand there would be concern there. But you
48 know you could put a 75 percent cap and if we, as

1 a fleet, came close to that quota prior to that
2 time, then we would have to be accountable.

3 But you know to me it just makes a
4 whole lot more sense and it's just pretty
5 daunting to somebody to find themselves in a deep
6 hole early in the year and have to go buy quota
7 just to go fishing.

8 And again, I've got quota I haven't
9 used in three years. I'd be glad to give it to
10 somebody. And to me there is a lot of us that
11 haven't touched it and to me, I think there can
12 be an accounting then to where these fishermen
13 aren't -- I understand and totally agree with IBQ
14 and that we do need to be held individually
15 accountable but you know as a fleet, not as an
16 individual.

17 And I feel like if there is a little
18 versatility allowed for these guys who do have
19 perhaps a disaster set early on and it's not such
20 a daunting hill to climb to try to get out of
21 debt and knowing or hoping, perhaps, that
22 somebody can help them along at the end of the
23 year, that's my reason for having brought it up
24 before.

25 Anyway, thanks.

26 FACILITATOR BROOKS: All right. Well,
27 thanks to HMS folks for all of these
28 presentations. I think this has been really
29 helpful conversation.

30 Just to hit a few points that I heard
31 from the initial presentation on the swordfish
32 landings, you know a lot of suggestions on other
33 pieces of information to look at, more analyses
34 to do in a couple of areas where maybe Agency
35 assistance would be helpful, whether it's on
36 imports or publicity, labeling mechanisms. So,
37 just I think a lot of good ideas put on the
38 table.

39 On the area-based management, a couple
40 of people speaking fairly strongly for the
41 concept of pushing towards access with 100
42 percent observers, a call to sort of focus on the
43 output side of things, rather than the input of
44 closure.

45 And then a couple of comments around
46 we really need to look more carefully at these
47 options, do some analyses that will help us.
48 Shana's cautions around sort of the scrutiny I

1 think falls into that as well, sort of looking
2 carefully at why were these controls put in place
3 and, therefore, what does it mean to remove them.

4 On the weak hooks piece, definitely a
5 pretty strong call to revisit those because of
6 their potential redundancy, the potential for
7 research, opportunities if removing it, and then
8 the potential. Maybe that's better for white
9 marlin harvests.

10 And then lastly on the three-year
11 review, I think just a couple of suggestions
12 there to just look at the broader economics and
13 then reach out to industry where you need help to
14 understand what you're seeing better.

15 So, I think that's all.

16 We want to turn, at this point, to our
17 last topic. But before we do that, I just want
18 to see, for anyone who is here, from members of
19 the public, anyone who will wanting to be making
20 comments, public comments? Anybody?

21 PARTICIPANT: Some of are actually
22 going to be rushing to planes. So can public
23 comments towards the end?

24 FACILITATOR BROOKS: I'm not seeing
25 any. We weren't planning on taking them now.
26 Just seeing if there was anybody.

27 So, I'm not seeing anybody raising
28 their hand. So I don't think we have any public
29 comment as of right now.

30 So at this point, Sarah, you're
31 already here. So last topic before Margo's
32 summary is taking a look at the bluefin tuna, the
33 general category January fishery.

34 MS. MCLAUGHLIN: I'm Sarah McLaughlin
35 from Gloucester. We don't have that many slides.
36 So you might actually want to pop open the
37 background document, rather than this
38 presentation.

39 So we've prepared a background paper
40 to provide context for the discussion. Just to
41 clarify, we're not proposing anything right now
42 and this is meant to provide a summary of the
43 history on this issue.

44 The paper describes the evolution of
45 the General category management since 1995, when
46 we first implemented time period subquotas to
47 increase the likelihood that fishing would
48 continue through the summer and for scientific

1 monitoring purposes. And I want to take a few
2 minutes to just mention some of the highlights of
3 the paper here. So, you can look along in the
4 paper.

5 You'll see there that the allocations
6 were set annually at first in '95, '96, and then
7 formalized in 1997 and were based on the
8 historical catches from 1983 to 1996. So you may
9 remember it used to be June to August with 60
10 percent, 30 percent for September, and 10 percent
11 for October to December, including New York
12 Bight.

13 The paper summarizes the request that
14 we've had for changes over the last several
15 years. For instance, in 2003, there was a
16 request to extend the fishery past December 31 to
17 January 31, if quota remained available. And
18 this was during the time when we managed the
19 bluefin fishery on an offset year of June to May
20 versus a calendar year. And we implemented that
21 change to extend to January 31 in December 2003
22 to increase fishing opportunities and to optimize
23 yield for the fishery overall.

24 In the 2006 FMP, we reverted
25 management back to a calendar year basis and we
26 formalized the December and the January
27 allocations at 5.2 and 5.3 percent. So, you'll
28 see that in that pie chart in the paper.

29 Another key action was the 2009
30 proposed rule to allow the January fishery to run
31 until May 31 or until the available quota was
32 reached, whichever came first.

33 And we had an extended comment period
34 on that proposed rule and we wound up delaying
35 final action until after the 2010 CITES meeting,
36 where bluefin was considered for an Appendix 1
37 listing, which would have meant restrictions on
38 international trade, as well as a 2011 request to
39 list bluefin under the Endangered Species Act.

40 Are you getting a lot of feedback?
41 No, a little bit. Okay.

42 Neither of those, the CITES or the ESA
43 listing request resulted in listing actions for
44 bluefin. So in 2011, we issued the final rule.
45 And based on public comment and other
46 considerations, we modified the proposed rule --
47 the proposed measure. So instead of it being
48 January 1 through May 31, it was January 1

1 through March 31, or until the subquota was
2 reached, whichever came first.

3 That's the current state of the
4 January time period.

5 And then Amendment 7, which was
6 finalized in 2014 gave us the flexibility to move
7 quota from the December time period or others
8 back in time to the January subquota. And we've
9 done that for the last three years, moving all or
10 a portion of the December quota back in time to
11 the January time period.

12 So we're requesting feedback, at this
13 point, in light of various considerations, such
14 as the availability of U.S. quota, the impact on
15 the stock, community impacts, et cetera. And
16 changes would need to be consistent with the
17 Atlantic Tunas Convention Act and the Magnuson-
18 Stevens Act and should take into consideration a
19 lot of what we talked about yesterday, the highly
20 variable nature of a bluefin fishery. And that's
21 true for rulemaking changes, as well as changes
22 to how we do our inseason management.

23 So again, the status quo is that the
24 January fishery runs until March 31st or until
25 the available subquota is met, whichever comes
26 first.

27 We could continue to transfer quota
28 inseason, consistent with the regulatory
29 determination criteria that we do for transfers
30 and bag limit adjustments, such as the
31 availability of bluefin on the fishing grounds,
32 landings to date, effects on accomplishing FMP
33 objectives, effects of catch rates in one area
34 affecting opportunities to have a reasonable
35 opportunity to harvest quota in another, et
36 cetera.

37 And we could reconsider the request to
38 extend the closure date of January period to May
39 31st. And again, that request was for the
40 available quota to be fished until it runs out or
41 May 31st, whichever comes first. So whether it
42 was April 3rd or April 27, that kind of thing.
43 Either way, unused quota would continue to roll
44 forward to the subsequent time period.

45 And then we're asking, again, are
46 there other options? In the past we've heard
47 things like why not just manage it without time
48 periods and see how it goes. Like you saw from

1 the presentation yesterday, in times of high
2 availability and effort, that could mean the
3 quota going pretty quickly.

4 So we welcome your ideas and one thing
5 is in the -- I found a small typo in the paper
6 and I apologize the pages are not numbered but at
7 the end of the background section, there is a
8 paragraph about the inseason actions this year.
9 And there is a March 2016 that should say March
10 2017.

11 And you can always contact us in
12 Gloucester for more information but we welcome
13 the discussion now.

14 FACILITATOR BROOKS: And Sarah, I'm
15 sorry, can you just say again what is sort of the
16 thinking around a time line for moving forward
17 with any potential change here?

18 MS. MCLAUGHLIN: Yes, we don't have
19 something planned for this upcoming winter
20 fishery but --

21 FACILITATOR BROOKS: This is a
22 preliminary sort of --

23 MS. SCHULZE-HAUGEN: Well, it's a
24 follow-on. If you remember, there was some back
25 and forth. I see the tent cards up already. And
26 so it's just the next meeting and trying to
27 provide for everyone that hasn't lived General
28 category bluefin tuna, the full story of
29 management and over the next discussion.

30 FACILITATOR BROOKS: Great. All
31 right, so let's work our way down the line off to
32 my left. So, we'll go Rich, Mike, George, and
33 then Anna, is that your card? Okay.

34 MEMBER RUAIS: Thank you, Sarah. That
35 was very good. I reverted to creating a cheat
36 sheet because I knew we were going to be running
37 out of time here and I wanted to be as fast as I
38 could be to get through the points. Well, it's
39 actually only seven points. I was going to make
40 it 27 points but I shortened up, not one for
41 every year but --

42 First of all, anytime you attempt to
43 -- well first of all, we don't want to see any
44 further changes right now to the sub-allocation
45 periods at all. I think we've seen enough today
46 and I think there's a bit of history missing in
47 the paper. If you all recall, whether it was
48 2003 or what the year was, this committee, at the

1 recommendation of Bill Hogarth, the administrator
2 of National Marine Fisheries Service, plus the
3 former head of North Carolina DMR brokered a deal
4 or suggested a sharing and we agreed to it.

5 And that sharing was 10.5 metric tons.
6 That's now risen to 81 metric tons adjusted
7 quoted this year and they're over that, up to 107
8 tons. So, they basically got 90 to 100 extra
9 tons already this year without any changes in the
10 fishery whatsoever.

11 Anytime you lengthen or add to a
12 subquota period, it has got to come from
13 someplace else, typically, unless you have a
14 long-term history. And it's dangerous to rely on
15 a -- there is no such thing as a long-term
16 history, in terms of high migratory fish. I
17 guess there is on a grand scale but on a small
18 scale, things can change very fast.

19 The other point I wanted to make was
20 in a fishery where it's fully subscribed, like
21 this bluefin fishery has been since the 1960s,
22 it's not wise to -- I think that's a basic
23 precept of management that scientists would back
24 me up on that you don't allow new fisheries to
25 develop or further dependencies to develop where
26 you already have quite a history of dependency
27 made up. And in this case, you can go back to
28 the 1600s and see the dependency that's developed
29 in New England. And I won't go into the details,
30 which I would have if I had more time.

31 Another even more important rule is I
32 challenge and I disagree with the notion that
33 using the criteria for taking fish out of reserve
34 and allocating it to someplace else is consistent
35 with the Magnuson Act. I think that would
36 require a legal determination that your
37 discretionary criteria overrules MSA National
38 Standard number 8.

39 And I just want to read you just a
40 couple of quick quips, direct quotes out of
41 Amendment 8 that they backed that up. And
42 they're this: MSA 8 acknowledges "importance of
43 fishery resources to fishing communities." It
44 provides "sustained participation of such
45 communities." And as I've said, in New England,
46 the home of the Northeast fishery, the place
47 where it developed, we've got 400 years, not
48 quite 400 years of history, but documented

1 history that can be shown.

2 Another quote directly out of
3 Amendment 8: "The importance of fishery
4 resources to fishing communities." We've already
5 talked about the lack of alternatives to the
6 bluefin fishery in New England in comparison to
7 the alternatives that are before the Southern
8 fishery, the additional alternatives that are
9 there.

10 Amendment 8 requires you to minimize
11 adverse economic impacts on such communities.
12 That isn't what this closure did to us on August
13 17th to September 1. It hurt New England and it
14 probably cast some question about whether or not
15 -- a serious question about whether we're going
16 to get the October fishery and the November
17 fishery that most people wanted to see.

18 Let's see, just a couple more points.

19 FACILITATOR BROOKS: Rich, I do want
20 you to go quick. There's lots of people in the
21 queue.

22 MEMBER RUAIS: Okay. The biggie is,
23 I don't think this is consistent with National
24 Standard 8. I think it's in direct conflict with
25 it and I think it's challengeable that you use
26 that kind of discretionary criteria. With me, it
27 trumps. You're trumping national standards with
28 the use of discretionary criteria to move quota
29 around.

30 Okay, I've got a lot more quotes but
31 I know I'll get a second shot because you told me
32 I could have the last word.

33 FACILITATOR BROOKS: That is true.
34 Mike.

35 MEMBER PIERDINOCK: Well, I'll try to
36 also be straight and to the point. You know the
37 Stellwagen Bank Charter Boat Association and our
38 members who fish the Stellwagen waters west of
39 Gulf of Maine and the charter boat captains,
40 recreational anglers, and a lot of the General
41 category of members that we also have, as Rick
42 said, we don't have any alternatives. Bluefin is
43 our only alternative. We don't have yellowfin.
44 We don't have bigeye. We don't have mahi. So,
45 when the bluefin disappears, it disappears.

46 What also needs to be taken into
47 consideration here is that we've had, the charter
48 boat fleet has had a two-third reduction in our

1 bookings as a result of the cod closures north of
2 the 42 latitude line. This bluefin tuna fishery
3 we rely on heavily to make it by. So without it,
4 it has a significant impact.

5 We're not happy about the closure in
6 August. The early closure that's going to likely
7 occur at the end of this month, we're not happy
8 about that either. And you know why those fish
9 are there, why they're not there I think has to
10 do with the abundance of menhaden that was
11 locally in the waters, and water temperature, and
12 so on.

13 So we need to manage it either status
14 quo or do something to protect the fact that we
15 can remain open.

16 Our typical fishing season is we have
17 an early run with the herring run. We get the
18 big guys coming through. They keep going up to
19 Canada, we get them. And then it used to be slow
20 in the summer but that didn't occur this year.
21 And actually right now is when it would kick in
22 and we'd be fishing until November-December, you
23 know harvesting the bluefin.

24 But something is going on different
25 this year. So to manage these quotas so it
26 doesn't have a detrimental impact at us at the
27 other end is critical, not only have the ability
28 to fish for bluefin but, as it's indicated, we're
29 so dependent upon that, with the cod closures,
30 with the cutbacks, with black sea bass, and I
31 could go through all the different species that
32 we're not allowed to land or the significant
33 reduction at this point. This is the only thing
34 that we're hanging on by a thread.

35 So, status quo and making sure that --
36 the members were looking for two. We actually
37 didn't talk about this yesterday. I was
38 surprised nobody brought it up around the table.
39 What do we recommend for next year? Two giants
40 per day, per vessel. They didn't want to see,
41 didn't want to see, two, three - they didn't want
42 to see three, or four, or so on, then hopefully
43 they can manage it that everybody from North
44 Carolina on north can have a whole season.

45 I also mentioned this yesterday is you
46 know there are a lot of fish out there. I don't
47 know, maybe they were offshore the last few
48 years; now, they're near shore. Is it time to

1 try to increase our quota through ICCAT? Because
2 I'd like to have us to be able to harvest the
3 fish, the North Carolina guys, and down south be
4 able to harvest the fish because we're all seeing
5 plenty of it but this seems to be the new mode of
6 operation that what we see on the water is
7 inconsistent with the stock assessment.

8 So hopefully we can see some change
9 there, too. Thanks.

10 FACILITATOR BROOKS: Thanks, Mike.
11 George.

12 MEMBER PURMONT: Thank you.

13 Acknowledging, obviously that the Carolinian
14 fishery that the winter fishery, quota fishery
15 has been managed with varying degrees of success,
16 I think that thing that kind of cross-hatches a
17 number of people is that when you have a closure,
18 the closure is in fact a closure, that it is in a
19 timely manner that when you put the brakes on,
20 you don't exceed the quota. I think you need to
21 get a better handle on it.

22 I do think that your suggestion to
23 allow the General category to remain open from
24 the first of January until the subquota is
25 reached makes good sense. I wouldn't put the
26 addendum of the 31st of May in there.

27 I strongly believe in the concept of
28 quota-driven fishery, not calendar operated or
29 oriented, which is to say that I don't see any
30 reason why the traditional New England fisheries
31 -- and in here, when we go back to the
32 traditional New England fisheries, I was there
33 when the gun went off. I was basically there
34 when Peter, one of the first disciples, was in
35 the General category and I'm not talking about
36 Weiss.

37 So to say that -- to hearken to say
38 that the fishery is something that's been there a
39 long time, that's true but relevant history is
40 relevant history and it's more timely in the
41 context of recent, rather than ancient.

42 And I think that, again, you're doing
43 an excellent job but if you put the brakes on,
44 make sure that when the car stops the passengers
45 don't go beyond the line.

46 FACILITATOR BROOKS: George, I just
47 want to clarify. You're speaking to keeping it
48 open from January 1 until subquota is reached,

1 without any kind of endpoint.

2 MEMBER PURMONT: Without any calendar
3 interference or interjection.

4 FACILITATOR BROOKS: Okay, thanks.

5 MS. MCLAUGHLIN: I want to make sure
6 I understand that because it would be -- how does
7 it interact with the June to August quota, then,
8 if there's still quota available?

9 MEMBER PURMONT: You fish until your
10 quota's caught. There's no reason why you can't
11 chew gum and carry on a conversation, why two
12 fisheries can't coincide. I don't see why the
13 Carolina fishery, with its landings in wherever,
14 cannot at the same time operate while the New
15 England fishery is taking place.

16 MS. MCLAUGHLIN: And this is important
17 -- that we don't manage by geography at all.
18 It's all time periods. So the January fishery is
19 open, whether there is Massachusetts boats off
20 North Carolina or things are happening in
21 Virginia. You know what I mean?

22 So I think what it would operationally
23 look like is the unused quota would just be
24 rolling forward and available. But I don't know
25 that we could -- I think just for very
26 bureaucratic Federal Register purposes, we need
27 to say that the January fishery is closed or runs
28 until May 31st because then the June 1 period
29 begins. It's very boring.

30 FACILITATOR BROOKS: So then it would
31 go with the status quo from January 1 until the
32 March 31, right? Until May. Until May, okay.
33 Okay, got you. Thanks.

34 MEMBER BECKWITH: Thank you. First of
35 all, I want to actually thank Sarah for creating
36 the background document. I thought it was
37 excellent. I thought she caught the discussions
38 that we had during the May meeting quite well.

39 I know that one of the goals for you
40 guys is to make sure that we're heard. And in
41 reference to our concerns as a Council, I feel
42 like our concerns were heard and well
43 represented. So I do appreciate that.

44 Specifically, of course, the South
45 Atlantic Council would support the extension of
46 the May 31st date or until the quota is caught.
47 We like what is currently happening with the
48 flexibility of being able to transfer that

1 December quota over to January. We think that's
2 working well, given the history of the last few
3 years. Of course in 2015, we would have had some
4 additional quota available to fish the beginning
5 of April. 2016 worked exactly the way it was
6 supposed to. And in 2017 we did have a small
7 transfer from the Reserve category, which we
8 certainly appreciated but you know that is sort
9 of a separate issue.

10 I did want to touch on a couple of
11 things that Rich said. I understand that he
12 doesn't actually want to see any changes
13 currently to the sub-allocations. And that's
14 again, not what the ask is at the moment. So, I
15 don't understand why that keeps being brought up.
16 That's not the ask.

17 We are simply asking for additional
18 flexibility so our subquota can be fully
19 utilized, I there is a subquota remaining.

20 To his comments about Hogarth
21 brokering a deal, to me it always seems like
22 there's an inappropriate claiming of ownership to
23 a nationally-owned resource. And I continue to
24 think that we need to step carefully around that.

25 While National Marine Fisheries has
26 recently put out an allocation review policy that
27 clearly states that while historic use of
28 fisheries is to be considered, it is not to be
29 considered as sort of the main point.

30 So take all that into consideration.

31 I didn't really understand the
32 concerns about the Magnuson-Stevens
33 inconsistencies with Standard 8 and moving around
34 quota from the Reserve category because we
35 certainly benefited from that this year but it
36 seems like the October-November time frame
37 benefits from that on an annual basis. So it's
38 either good for the goose and the gander or it's
39 not. So I'm not sure where those arguments come
40 from.

41 But needless to say, yes, we would
42 like to see this move forward in consideration
43 and we certainly would like to see that
44 opportunity to fish that January subquota
45 extended until the quota is reached or May 31st
46 day. So, we appreciate your time.

47 FACILITATOR BROOKS: Thank you.
48 Andrew.

1 MEMBER MARSHALL: I'd just like to
2 echo Rich and his sentiments here of keeping it
3 as a status quo right now. There was a lot of
4 talk about doing economic impact surveys. And
5 there's a huge impact on the northeast when we
6 have early closures. And I'm really interested
7 to see down the line captains start logging the
8 actual -- you know how much money is spent in the
9 northeast.

10 So I would just urge you to keep the
11 status quo.

12 FACILITATOR BROOKS: All right, I've
13 got David, Randy, Rom, and then Andre.

14 MR. SCHALIT: My bona fides are that
15 I fished for one season I brought my vessel down
16 to North Carolina to Beaufort, Morehead,
17 Hatteras, and Wanchese. And in another season, I
18 went down to Wanchese and learned how to use
19 green stick for about three weeks.

20 So I have some sense of what's going
21 on down there, but as a New England fisherman.
22 But I still needed some context. So I requested
23 some data from the Agency about two months on
24 landings going back five years. And I want to
25 share with you the observations I made from that
26 data.

27 Basically what I asked the agency for
28 was five years of landing segmented by two-week
29 periods, rather than one-month periods and,
30 secondarily, segmented by Cape Lookout.

31 As you know, the geography of North
32 Carolina is bisected. The coastline is bisected
33 by Cape Lookout, which is this peninsula that
34 juts out into the Atlantic. And south of Cape
35 Lookout, we have Morehead/Beaufort. And north of
36 Cape Lookout, there is Hatteras, Ocracoke,
37 Wanchese, and Oregon Inlet.

38 So my sort of preliminary observations
39 were that bluefin arrive to these areas at
40 different times. So when I looked at the data, I
41 could see it. It was obvious. Looking at
42 bluefin landings from south of Cape Lookout, that
43 is Morehead/Beaufort, there were none in 2011,
44 none in 2012, none in 2013. In 2014, there were
45 some landings in the first half of December.
46 That was it.

47 In 2015, the fish showed up in the
48 second half of November and departed the second

1 half of January.

2 In that five-year series there were no
3 years in which we had landings in March -- in
4 February or March.

5 So in my view, when we're talking
6 about extending the season, we're really not
7 talking about Morehead-Beaufort at the moment.
8 We're talking about what happened north of Cape
9 Lookout, where we have fish arriving in the first
10 or second half of January, typically, and staying
11 through the end of March. Of course, we don't
12 know what would happen after the second half of
13 March because nobody's been fishing after that
14 time.

15 So the way I see it is that these are
16 two different bodies of fish that come from two
17 different places and they arrive and leave at
18 different times and the trend seems to be fairly
19 clear. But as I say this, I must also say that
20 bluefin never do the same thing in two
21 consecutive years. All right?

22 So but it's also my observation,
23 having fished in April off of Hatteras Point,
24 that my observation would be that large medium
25 and giant bluefin tend to depart from that area
26 in early to mid-April, leaving juveniles. And I
27 think the reason why they are leaving, why these
28 giants are leaving is very obvious. It's because
29 the water is heating up. And unless we have
30 another trend like global cooling instead of
31 global warming, this is more or less a constant
32 event every year.

33 What we have also in April that we've
34 observed is that there is an overlap of juvenile
35 bluefin and yellowfin coming like around mid-
36 April, approximately.

37 Now, I believe that juvenile bluefin
38 have a higher tolerance for warm water than do
39 giants. This is just my own observation. And
40 maybe that's the reason why we tend to see the
41 juveniles there far longer than the giants.

42 FACILITATOR BROOKS: Okay, hold on for
43 one second. Just because of time, would you be
44 able to sort of just --

45 MR. SCHALIT: That's why I asked you
46 if we would be rushed. This is an important
47 issue for me.

48 FACILITATOR BROOKS: I'm not rushing

1 you but I want you to just take what you're
2 saying and put it in the context of the options
3 that are on the table.

4 MR. SCHALIT: Okay, I will be happy to
5 do that.

6 The backbone of that fishery is the
7 Wanchese fisherman. The Wanchese fisherman, more
8 often than not, is a subsistence fisherman,
9 commercial fisherman who has several fishing
10 permits. That differentiates the Wanchese
11 fisherman from the New England fisherman, who
12 only fishes for bluefin tuna. If he's not
13 fishing for bluefin tuna, most of these fishermen
14 don't fish for anything else. But in Wanchese,
15 you can't survive without having several permits.

16 So when a Wanchese fisherman is
17 thinking about going fishing, he might take a
18 look at king mackerel and bluefin and say where
19 can I make more money on that tomorrow. Where am
20 I going -- how much fuel will I burn catching
21 those king mackerel as compared with bluefin
22 tuna, and so on.

23 So these guys I know, they have told
24 me that they believe that a one-fish bag limit is
25 a dead loss to them. Coincidentally it happens
26 to be the same thing that northern bluefins say
27 -- northern fishermen say.

28 But my point here is very simple. If
29 we wanted to experiment with this idea of
30 extending the fishery, we are basically looking
31 at a fishery that is bracketed in time because
32 those fish are only going to remain there for so
33 long and we don't know how long that will be.
34 But any hard-boiled commercial fisherman -- any
35 hard-boiled commercial fisherman -- will tell you
36 that he wants to catch the fish when they are
37 there, not when they are going to maybe be there.

38 So if we wanted to actually have quota
39 going into April or possibly May, we might be
40 considering lowering the bag limit earlier in the
41 season, in order to make that -- in order to
42 facilitate that. And if we did that, what we're
43 doing is we're creating negative economic
44 consequences for that fisherman, that commercial
45 fisherman because it means that he will to do
46 more trips in order to catch the theoretical same
47 number of fish he expects to catch and that means
48 he'll be burning more fuel and so on.

1 So I see this experiment -- if we go
2 into this with eyes wide open, we would ask
3 people like Andre, who actually fished there in
4 April off of Hatteras Point, and see what's
5 realistic. I don't think we can -- as I say,
6 there are no hard and fast rules regarding
7 bluefin migratory patterns but there is one very
8 -- there is one constant here and that is the
9 water temperature rising in April and the fact
10 that yellowfin show up is an exemplification of
11 that fact. And I rarely ever hear of yellowfin
12 being caught in the same body of water at the
13 same time as giant bluefin.

14 FACILITATOR BROOKS: Okay.

15 MR. SCHALIT: That's it.

16 FACILITATOR BROOKS: Thank you.

17 Appreciate that.

18 Let's go over to Randy, and Rom, and
19 then over to Andre.

20 MEMBER GREGORY: First of all I'd like
21 to concur with a lot of the things that Anna said
22 earlier. As everybody has mentioned the winter
23 fishery is highly variable and that's the reason
24 that we've asked for this extension in the time
25 period.

26 First of all, I think one of the major
27 issues that nobody's mentioned yet is vessel
28 safety. We can -- often these fish don't show up
29 until the last few days in March and we would not
30 want to create a hazard situation. It is a very
31 rough place, at times. Inlets are very shallow.
32 And you know if the guys knew that there was
33 going to be a few more days in the season that we
34 weren't bumping up to the end of March, that
35 they'd have that ability to go out and maybe not
36 fish on some days they shouldn't be fishing.

37 The other thing is that this is a U.S.
38 quota and this would also increase opportunities
39 for everyone. There are plenty of boats from all
40 over the United States that come to North
41 Carolina to fish in the wintertime. So that
42 actually increases some of the opportunities for
43 some of the folks that may not have opportunity.

44 There are fish in April. Our
45 recreational citation program has lots of years
46 of data where fish have been released and we have
47 that information, if the agency would like that.
48 But the fish are there. If there is some quota

1 left, we'd like to keep fishing past March 31st.

2 Thank you.

3 FACILITATOR BROOKS: Thanks, Randy.

4 Rom.

5 MEMBER WHITAKER: Yes, Rom Whitaker,
6 Hatteras Charter Boat. I would also concur with
7 Anna's remarks. They were very eloquent as to
8 the history.

9 And we have had some very vigorous
10 discussions around this table, as you all well
11 know. And I only have to point out National
12 Standard 4. But anyway, we're not going to get
13 into that. We're not, as far as I know, asking
14 for more. We're asking for an extension to March
15 31st -- I mean to May 31st. Let me make that
16 clear, May 31st. And it's for the reasons Randy
17 gave -- weather. You might not have yellowfins
18 up in your area now but they may be there next
19 year you know with the weather patterns.

20 So we want the flexibility to be able
21 to catch that quota on into April. And normally
22 they are gone by the end of April but you never
23 know. Bluefins change every year. They used to
24 be thick as fleas in Hatteras for December,
25 January, and February. But those fish don't come
26 back there anymore, for whatever reasons.

27 Let's be thankful that you are doing
28 a great job and we're catching the quota. I mean
29 we were sitting here just a few years ago
30 wondering how we were going to catch them; not
31 who was going to catch them but how we were going
32 to catch them. So, I'm thankful that we're
33 utilizing the quota, whether they are getting
34 caught below me or above me, I think is great.
35 We're utilizing a fishery.

36 And I agree with Mike that maybe it's
37 time that at ICCAT we can prove that hey, we got
38 more fish over here than this stock assessment is
39 showing and let's get some more pounds so
40 everybody can be happy.

41 And that's pretty much -- I won't get
42 into the history of all the arguments or
43 discussions we've had around the table but we
44 would like that flexibility. Thank you.

45 FACILITATOR BROOKS: Thanks, Rom, very
46 much.

47 Andre.

48 MEMBER BOUSTANY: Yes, it's a little

1 bit off topic but I just wanted to address the
2 point that a couple of people have brought up
3 about the availability of fish and how
4 potentially what you're seeing on the water is
5 different than what the scientists, quote,
6 unquote, are seeing.

7 Yes, that happens a lot. There is a
8 lot of data that go into stock assessments and
9 goes from Gulf of Mexico all the way up to almost
10 Greenland. And you're seeing a very small part
11 of that.

12 I would just like to remind everyone
13 that it was just a few years back that you all
14 were seeing decreasing or steadily low catches
15 and the stock assessment was going up. So, it's
16 a double-edged sword. And you know it's pretty
17 common that that does happen and you can't always
18 attribute low catches due to shifts in
19 distribution and higher catches to increased
20 abundance. So distribution and abundance both go
21 both ways.

22 FACILITATOR BROOKS: Good and
23 important point. Thank you.

24 Rich, I see your card up. Is that
25 because you have something you want to say or you
26 really just want the last word?

27 MEMBER RUAIS: No, I have something to
28 say but I will be quick.

29 First of all, several have made the
30 point that we're not looking for more quota, we
31 just want more time. Well, the events have kind
32 of contradicted that. You started off at 10.5,
33 you're now up to 107 metric tons. I don't know
34 how you can even with a straight face make that
35 argument that you don't consistently ask for more
36 quota. Whether it's in this room or elsewhere,
37 you're asking for quota and you're getting it.

38 The second point, and there's only two
39 points that I wanted to make, was I left out the
40 most important part of National Standard 8, which
41 says to address the sustained participation of
42 fishing communities that will be affected by
43 management measures, the analysis should first
44 identify affected fishing communities and then
45 assess their different levels of dependence on
46 and engagement in the fishery being regulated and
47 should assess the likely positive and negative
48 social and economic impacts of the alternative

1 management measures over both the short and long-
2 term on fishing communities.

3 And I don't know how anyone can argue
4 that the impact upon New England of a declining,
5 shifting traditional fishery to the south is not
6 going to impact and hurt the northeast fishery
7 more than a fishery that doesn't even really
8 exist right now except at a level.

9 And the last final point is that
10 scientists always complain that not having enough
11 data is the hardest part of their job. Well for
12 managers, international and domestic, shortage of
13 allocation is always the hardest part and I hate
14 it because it requires you to fight and argue
15 with other fishermen, which I really hate to do.
16 The time to be increasing quota and, if I were
17 still here, I would support it, when the U.S.
18 quota increases, as Mike says. And I think
19 that's not that far away. I could be wrong.
20 Shana probably has some information. She has the
21 scoop on swordfish, as she always does. So she
22 probably has the scoop on the bluefin stock
23 assessment finale. We can't get at it.

24 But anyway, if it is improving to some
25 extent, we could be seeing quota that can be
26 shared in different ways.

27 And then I'll just allude to the IBQ
28 program. If there are changes there, it could be
29 that quota becomes available there. And that's
30 when you look at new fisheries in allowing
31 another more financial dependence. You don't
32 take away from people who already have that
33 dependence to start a new dependence when they're
34 not missing anything.

35 Thank you. And thank you, everybody.

36 FACILITATOR BROOKS: Thanks. So no
37 surprise, kind of oh, do we come in at the last
38 minute.

39 MEMBER HEMILWRIGHT: Yes, I just have
40 one quick question and Brad can probably answer
41 it. How many permits are issued in the general
42 category and how many actually catch a fish?

43 So when you talk about dependence and
44 I've heard around the room about commercial
45 fishing, how many of this are dependent upon this
46 100 percent of the year for their intake and how
47 many are part-timers? And so when you hear the
48 context given around a room about comments, some

1 of them depend on it greatly. Others, this is
2 just a hobby for them, not that the economic
3 impact of what they do is not great, fuel, boats,
4 and all that, but the ones that depend on it up
5 and down the coast is probably a small minority
6 compared to everybody else that goes fishing that
7 are not catching but fishing.

8 So I was just curious about what's the
9 percentage of the people that actually have
10 permits that actually catch something. And it
11 doesn't have to be just a given year.

12 MR. MCHALE: So when you look at the
13 permitted universe, there is probably about 2,300
14 to 2,400 General category permitted vessels up
15 and down the seaboard. In addition to those
16 2,400, you have the 3,500 Charter/Headboat
17 vessels. Now granted, that's up and down the
18 seaboard, through the Gulf as well. They're not
19 all bluefin tuna fishermen but, as you know, down
20 in North Carolina as well as up in New England a
21 lot of those charter guys go for bluefin when
22 they're available.

23 So out of that we'll call it 5,500,
24 give or take, usually on average there are 500 or
25 600 unique vessels that are landing and selling
26 bluefin tuna in any given year.

27 But what becomes very difficult, and
28 I understand the point you're raising as well as
29 the point that Richard is raising, is that aspect
30 of dependence, where we don't require folks to
31 submit, say, where their income is generated from
32 as a prerequisite for permits. So it becomes
33 very difficult to then look at permit information
34 and make a determination of who is say dependent
35 or a full-time commercial fisherman versus folks
36 that may have other sources of income and that
37 are just participating in that fishery, other
38 than just looking at potential success. And
39 then, that's obviously biased as well because you
40 could have really good fishermen on either side
41 of that fence.

42 MEMBER HEMILWRIGHT: Yes, something
43 else. If HMS is able to clean up the issuing
44 permits to vessels that do not have safety decals
45 that are selling, that's a lot of vessels that
46 are taking away from the people that have all the
47 permits and are by the regulations and also take
48 away from the people who are not submitting the

1 40 percent in the General category, give or take
2 a little bit, who are not accounting their
3 landing of the fish.

4 You're taking away from the people
5 right there that are trying to follow the law and
6 doing it and you have got others that are not
7 doing it and it is not a small amount. So, you
8 know maybe by tightening up that thing and taking
9 their permits away, and making them justify, it
10 gives more fish to the people who are abiding by
11 the regulations.

12 FACILITATOR BROOKS: Thanks, Dewey.
13 Mike.

14 MEMBER PURMONT: Mike Purmont.
15 There's no doubt there is a dependency up in New
16 England. Just go to our marinas. Go to Green
17 Harbor and you'll see if the tuna bite is on
18 Gloucester or any one of them, there's no boats
19 there. If the tuna bite isn't on, they're all
20 back at the dock because we don't have any other
21 options.

22 One thing you're not taking into
23 consideration also is is that from a recreational
24 standpoint where there are trophy quota, it gets
25 shut down early. How many recreational vessels
26 are out there and the economic impact of all
27 those vessels on the water?

28 And we see them on the weekend. You
29 go out there, there is hundreds of boats fighting
30 to get a few giants that may be present. And
31 we've been fortunate this year that the fish have
32 been so close to shore because the water
33 temperature has been right and the menhaden have
34 been there as the food source that 100 yards --
35 throw a rock 100 yards off of Chatham and you can
36 catch giants and almost put a hotdog out there to
37 catch them because they've been so numerous in
38 the area. And that's the way it's been this
39 year.

40 So whether you're experienced or not,
41 people are hooking up to them and that's a great
42 thing. And once again, you are all to be -- and
43 you, too -- you're disappearing on us. I wish
44 you weren't. A lot of people around this table,
45 whether it's National Marine Fisheries Service or
46 others have done a lot. Where we were in the
47 past and where we are today, you are to be
48 commended for that. And now we're trying to

1 address how North can work for North Carolina and
2 how it could work for us. And I just find
3 offense for anybody to say that it is not
4 impacting us because it is. And just take the
5 QuanTech interviewers and just talk to them and
6 they'll tell you how that works.

7 So, thanks.

8 FACILITATOR BROOKS: Andrew.

9 MEMBER MARSHALL: Sorry, real quick.

10 I just wanted to agree with Dewey. We're looking
11 for a little bit more on the compliance of
12 safety. A lot of us made significant investment
13 to be in the fishery and you see some people out
14 there right now that just are out there, no
15 compliance. But in terms of weekend warriors,
16 there really isn't any more weekend warriors
17 anymore. It's a full-time fishery for a lot of
18 people. And there is a big economic impact.

19 So, thanks.

20 FACILITATOR BROOKS: All right. Well,
21 no surprise, kind of a split decision here on
22 guidance that you're hearing from folks around
23 the table but that's again, probably something
24 that isn't too surprising.

25 But we did hear some common themes
26 around if there can more quota to be gotten
27 through ICCAT, that's a good thing to do. And if
28 pushing at the safety compliance narrows the
29 field a little bit, that also has some benefits
30 to folks around the table.

31 So I think I will just leave it at
32 that and hand it off. Let me just double-check
33 again. Anybody wishing to make public comment?

34 Okay if not, I think I hand it off to
35 you, Margo, to do your summary right on time.

36 MS. SCHULZE-HAUGEN: All right, yes,
37 I've got ten minutes until one o'clock.

38 So my usual caveats with this. This
39 has been taken in real-time, literally. This
40 morning people went over and typed up the notes
41 here. I have not seen it so, I will be seeing it
42 with you. It is not intended to be the full
43 transcript. We will have that later. This would
44 be high level take-aways trying to just capture
45 the treetops of the discussion.

46 And I am guessing we are going to see
47 lots of photos of ourselves, as pictures were
48 being taken. So, here we go.

1 On the overview -- request for update
2 on the mobile reporting app. We got some of that
3 information later in the meeting. And then
4 looking for information on the whitetip listing
5 process; a follow-up on connectivity between
6 Seafood Import Monitoring Rule and the IUU
7 provisions of the Shark Conversation Act. We'll
8 be following up on that issue, getting the right
9 folks to weigh in.

10 A lot of concerns about illegal
11 domestic landings of HMS and questions about
12 research on Atlantic bluefin tuna with the
13 effects of Deepwater Horizon.

14 Several questions regarding the Cape
15 Cod Commercial Fishermen's Association EFP. So
16 that is something that we'll be turning to after
17 this meeting.

18 Bye Rich. No, that's okay.

19 So on upcoming rulemaking, the
20 Charter/Headboat permit rule, general support for
21 the approach splitting the Charter/Headboat into
22 a sale/no sale. Consider the potential impacts
23 on the trophy category, particularly trophy
24 north.

25 Continued concern about differences in
26 reporting requirements across fisheries and the
27 suggestion to require proof of a captain's
28 license for a Charter/Headboat permit.

29 So stay tuned on that, as well as this
30 one: upcoming rulemaking on IBQ accountability.
31 A question about IBQ lease during the year,
32 details in IBQ update presentation. You can read
33 that.

34 If there are no conservation concerns,
35 NMFS should make accountability more flexible.
36 So I think we heard that.

37 Regarding carryover of IBQ, some pros
38 and cons; some support; and then questions about
39 implications at an ICCAT for a carry forward like
40 that.

41 Implications on flexibility in
42 accounting it could have on the need for in-
43 season transfers to the longline category early
44 in the year.

45 And comments that trip level
46 accountability may prevent vessels from quick
47 turnaround when target species fishing is good
48 and it can be difficult to find additional IBQ to

1 lease. Leasing is a cost. Vessels can be
2 hesitant to lease early in the year. But also a
3 statement that the accounting period should not
4 be too long so that vessels don't go too far into
5 debt.

6 And so, again, we'll be looking to
7 have that proposal out soon.

8 On enforcement updates, need to
9 differentiate between fisheries regulations and
10 Coast Guard requirements. Question about the
11 boat lettering and inspections. Interest in high
12 seas boarding inspection initiatives. I think we
13 can follow-up on that.

14 Clarification/discussion on violation
15 penalties. The Mid-Atlantic Council August
16 Briefing Book. But then also I think we'll make
17 sure we get out information on the website. More
18 people can find information. It sounds like
19 they're posting things a lot more frequently.

20 The fileting EFP request, need to
21 consider enforcement there. And then
22 acknowledgment of animal mistreatment by Florida
23 anglers and the FWC and NOAA OLE responses.
24 Interest in how OLE is using social media and
25 what people are posting about what they're doing.

26 Request to consider a tournament
27 permit versus registration and making sure they
28 get information about the regulations. Also
29 request to streamline different inspections by
30 different parts of the Coast Guard, although I
31 didn't hear that that was necessarily going to
32 happen in near term. And then the request that
33 Coast Guard and OLE keep the public updated on
34 the use of drones.

35 On the Caribbean, again, this will be
36 one that we'll circle back on in the spring,
37 since folks couldn't be here. Questions about
38 the process for removing species like Caribbean
39 reef or sharpnose. Questions about scalloped
40 hammerhead DPS in the Caribbean.

41 And then need to research the genetics
42 of sharks. You know the Caribbean sharpnose I
43 think may occurring far beyond the Caribbean.
44 See if they're the same stock. And then also a
45 request to follow-up on more information on this
46 protocol and see how that overlaps with NMFS and
47 shark species that we have in common.

48 Final Amendment 10. So this should

1 publish today, the notice of availability. So
2 that should be available to you.

3 Questions and concerns about
4 historical data. When we're focusing on more
5 recent information, we don't want to lose sight
6 of the original rages or historic rages.

7 Questions about significant findings,
8 the interplay within regulatory measures. And
9 it's difficult to get permits for some
10 development activities because habitats might be
11 EFH in the future. So request to designate
12 carefully.

13 Also a suggestion that we conduct
14 targeted sampling off areas of Tarpon Springs,
15 particularly for dusky sharks and that we could
16 include those in the next EFH update.

17 And then concern about stormwater
18 runoff preventing activities specifically to
19 Plymouth and whether these are being folded into
20 the EFH consultations.

21 For the pelagic longline closed area,
22 research EFP. Comments the study design is
23 thoughtful; provide important data but that we
24 need to have really close monitoring and keep a
25 tight leash.

26 We've committed to providing updates
27 at AP meetings, at a minimum. And that, as we've
28 been hearing, recreational sector has great
29 concerns and that credibility is really
30 important.

31 Using EM to verify dusky shark
32 mortalities versus captain reports. That
33 interpretation will be really important. So, we
34 will be following up on that, certainly.

35 On the HMS tournament study, the
36 expenditure and economic impact estimates will be
37 available in the spring. We should have some
38 updates for you then.

39 Clarification that the registration
40 fees include the Calcutta fees. And the
41 tournament study folks in all tournaments that
42 target HMS, whether HMS are a primary target or
43 not.

44 For MRIP and LPS priorities, we looked
45 to have that final implementation plan the end of
46 this fall and desire for a report on time line
47 for LPS redesign, re-estimation, expansion. I
48 think we can certainly turn back to that in the

1 spring, if we have more information by that time.

2 Preference expressed for solutions
3 that minimize reporting burden, kind of the one-
4 stop reporting. And that states are doing a good
5 job with the APAIS survey and adding an offshore
6 stratum worked well with Louisiana creel study.
7 Maybe we can get some input from Jason on that in
8 the spring as well.

9 And then the addition of an offshore
10 stratum to APAIS will be easier in some states
11 than others, due to the geography.

12 That we should consider electronic
13 reporting options that collect more targeted
14 effort data but that electronic reporting needs
15 to be made as easy as possible to minimize
16 burden, improve compliance.

17 We should look to combine shark data
18 collection efforts with outreach efforts to get
19 better species ID and that states with
20 distributed access sites should consider marine
21 fuel sources for distribution of catch cards.

22 Continuing on recreational issues,
23 tournament registration, there was a suggestion
24 that automatic regulation compliance information
25 be sent when they register.

26 And then on circle hooks in billfish
27 tournaments, general opposition to the exemption
28 for high-speed trolling for blue marlin because
29 the requirement has some benefit for the
30 overfished species and most of the fishery has
31 adapted. General support for allowing J hooks
32 with lures that have natural components
33 completely encased.

34 And just on that one, I think this
35 issue as well we were missing some of the voices
36 that are interested in this issue. So I think
37 we'll be circling back, no pun intended, on that
38 as well.

39 For bluefin tuna management in review,
40 look at school bluefin catch by mode; charter
41 versus private and by state. And then look back
42 to 2003-2005 to see what data showed. Yes, it is
43 interesting to see patterns over the years.
44 We'll certainly do that.

45 Acknowledgment this was a challenging
46 year for managing fisheries and it will likely
47 continue to be a challenge.

48 And then continued concern on General

1 category catch reporting and consider linkages to
2 reporting to permit issuance, consider requiring
3 vessel report before landing and providing a
4 confirmation number. And then should show
5 discard information as well as landings. I think
6 we can follow-up on that.

7 Need concerted outreach effort by the
8 Agency, although those complying should not pay
9 the penalty for those who don't. Need sensible,
10 I think, approach to provide more and more quota.
11 The category was not sensible to provide more
12 quota when there is low self-reporting.

13 And then a question about whether
14 compliance rates could be shown for the angling
15 category. A point would be whether we should
16 show compliance rates for all categories. That
17 would be something that we could do as well.

18 LPS estimates for 2017 may be showing
19 one or more good year classes. That would be
20 great. We'll need to push for increased U.S.
21 quota, address the needs of various categories.
22 And then questions about the purse seine fishery
23 future and potential quota reallocation.

24 From the public comment yesterday,
25 request the division and the AP consider the Cape
26 Cod Commercial Fishermen's request. Like I said,
27 we'll be turning to that in the next couple of
28 weeks. And request to reform the online
29 permitting system for private anglers getting
30 permits. Request the shark ID video be extended
31 to the commercial fishery and include the
32 protected species handling and release workshop
33 requirements so they can watch a video instead of
34 having to travel.

35 For eDealer, people like see
36 commercial landings updates of tunas and people
37 are interested in seeing recreational updates and
38 concerns. There would be duplication as a result
39 of fishermen reporting in two different logbooks.

40 Question on compliance rates for
41 dealer reporting and what kind of enforcement is
42 available to ensure compliance. We talked about
43 that.

44 How much effort has there been to have
45 state systems be streamlined? Quite a bit. And
46 any feedback on hammerhead sharks? So we'll look
47 into that and report back on that as well.

48 And then questions on duplication.

1 So linked to this, some of these
2 issues, the upcoming rulemaking on commercial
3 shark closure thresholds and advanced notice. A
4 lot of requests for specific analyses, which we
5 will do, including buffers and the linkages
6 between the science and management uncertainties.

7 Consider establishing different
8 criteria by different groups, based on the
9 information and the history that we have.

10 And then more information on how
11 bycatch is accounted for in setting in the
12 quotas. I think we can follow-up in the spring
13 on that.

14 And then specific concern on
15 hammerheads. And then issue with overharvest
16 appears to be in the Gulf on hammerheads.

17 No support for immediate closure,
18 although some support for status quo. But
19 considering the overall comments, state concern
20 that states would have different regulations that
21 we need to account. Maryland specifically has at
22 least 48 hours, whereas Louisiana has 24 to 48.
23 So these are all things we'll look at.

24 And then for the threshold, some
25 support for 90 percent in the Atlantic and not
26 closing, if we project we won't reach 100 percent
27 by the end of the year. Some support for no more
28 than 80 percent, particularly where we've had
29 problems. And a question about reopening if
30 remaining quota is available.

31 For the swordfish fishery trends,
32 interest in looking over a longer time period.
33 And then questions about whether other gears
34 experience a drop, whether that is related to
35 swordfish availability.

36 And then in addition to swordfish, we
37 have imports coming in of bigeye from Ecuador.

38 See what we can do to look at the age
39 of the vessel crew, not just owners.

40 And then it's poor public perception
41 of swordfish is an issue and marketing is
42 something that could be done to help. On this
43 point specifically, someone did mention it, but
44 there is the call for SK grants proposals. And
45 marketing is specifically called out in that as a
46 priority area. And so I would encourage folks to
47 take advantage of that opportunity to get some
48 resources to put to some of these issues.

1 If you have questions on that or need
2 that, I can get it to you.

3 And countries that export swordfish to
4 the U.S. don't abide by the same conservation
5 requirements. It's not just one issue that are
6 keeping the swordfish landings down but many
7 facets and flexibility in fishing would be
8 helpful.

9 I think also on this we can follow-up
10 with the Office of International Affairs that is
11 running the marine mammal import rule and the
12 linkages to seafood import and all of that. I
13 think we'll try and get them back in the spring.

14 On area-based management, suggestions
15 that any new closure should include provisions
16 for data collection and support for the observer-
17 based access option, particularly for Charleston
18 Bump.

19 Support for moving forward towards
20 more individual accountability measures and away
21 from area closures. And we should show an
22 analysis of options at the next meeting.

23 For weak hooks, statements again that
24 it is redundant with IBQ and Gulf of Mexico GRAs
25 and lack of support for needing weak hooks after
26 July and a request for additional analyses and
27 consideration at the next meeting.

28 For IBQ program update three-year
29 review, we'll be looking at the whole fishery not
30 just bluefin in the IBQ context. Concerns about
31 liberalizing longline regulations, including IBQ
32 accountability in closed areas.

33 General category interest in IBQ
34 program for quota implications. Industry offered
35 to help with information and the process in
36 future regulatory actions that may follow the
37 three-year review.

38 We did not try to capture what you
39 literally just said but we will. And so we'll
40 add some bullets here and send that out to you
41 all so that you have that for your reference.

42 Some noteworthy dates on here, some
43 photos. Look at that. I'm glad I'm not in any
44 of them.

45 So a reminder, 2018 shark specs
46 comment period closes September 21st and the
47 ICCAT annual meeting is November.

48 And I've talked on this side with a

1 number of you about the new shortfin mako
2 assessment. It's not yet final but I would
3 encourage all of you to pay very close attention.
4 Preliminary information is the assessment is
5 quite grim and we'll need your attention moving
6 forward as we end up negotiating at ICCAT and
7 then implementing domestically. So a particular
8 shout out on that one. I forgot to mention that
9 earlier.

10 And then reminders. If you could
11 please send your receipts by September 15th,
12 return your table tent and name badges so we can
13 reuse them.

14 And the cookies, yes, thank you Pat
15 for keeping us well-fed as we powered through
16 lunch.

17 Please fill out the surveys. We
18 really do look at them and value your input.

19 And before I let you go, a huge thanks
20 to all the HMS staff for pulling all of this off.
21 I appreciate your appreciation. I appreciate
22 them even more.

23 So thank you, everyone, HMS staff.

24 And safe travels, everyone. I think
25 most of the folks that were headed south have
26 already left. But for the rest of you, safe
27 travels and we'll be in touch. Thank you.

28 FACILITATOR BROOKS: And I just have
29 to note, Rich left his card up and it just seemed
30 so appropriate.

31 (Whereupon, the above-entitled matter
32 went off the record at 1:06 p.m.)
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This is to certify that the foregoing transcript

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Before: NOAA

Date: 09-07-17

Place: Silver Spring, MD

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