

U.S. DEPARTMENT OF COMMERCE

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NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

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MARINE FISHERIES ADVISORY COMMITTEE

+ + + + +

THURSDAY,

November 12, 2009

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The Marine Fisheries Advisory
Committee met in the Lincoln Room in the
Crowne Plaza Hotel, 8777 Georgia Avenue,
Silver Spring, Maryland at 8:30 a.m., James
Balsiger, Vice Chair, presiding.

MEMBERS PRESENT:

- JAMES BALSIGER, Vice Chair
- MARK HOLLIDAY, Director, Office of Policy
- TERRY ALEXANDER
- TOM J. BILLY, Committee Liaison
- RANDY CATES
- ANTHONY CHATWIN
- PAUL CLAMPITT
- PAMELLA J. DANA
- BILL DEWEY
- PATRICIA DOERR
- ERIKA M. FELLER
- MARTIN FISHER
- CATHERINE L. FOY
- KENNETH FRANKE
- STEVE JONER

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MEMBERS PRESENT (Continued):

HEATHER D. McCARTY
GEORGE C. NARDI
TOM RAFTICAN
ERIC J. SCHWAAB
DAVID H. WALLACE
JOHN V. O'SHEA, Advisor

ALSO PRESENT:

ZUBIN BANJI
LAUREL BRYANT
ABIGAIL FRANKLIN
ADAM ISSENBERG
HEIDI LOVETT
KRIS LYNCH
CHRIS MEANEY
MONICA MEDINA
SARAH MELTON
KATE NAUGHTEN
MIKE RUBINO
BRYCEN SWART

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

2 8:35 a.m.

3 VICE CHAIR BALSIGER: Good morning,
4 everybody. Thanks for getting here exactly on
5 time through the Noreaster out here according
6 to the news forecast. I saw there were some
7 umbrellas inside out. So wind must be blowing
8 a little bit.

9 We have our -- let's see. Is it
10 the fifth, five new members, or is it six, six
11 new members? I've lost count. Six of six.
12 Tony Chatwin is here. Probably we're going to
13 have a visit from Monica Medina later this
14 morning. And I haven't talked to the liaison
15 about this, but if she gets in here, we may
16 want to go around the room and have everyone
17 give her 30 seconds on who everyone is.

18 So that is an explanation as to why
19 we are not going to tell you who everyone is
20 right now. So maybe we will do that, and you
21 can catch on just before the break -- I think
22 she is coming at 10:00 o'clock, 10:00 o'clock

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1 -- if that is okay with you.

2 MR. BILLY: Yes.

3 VICE CHAIR BALSIGER: And with
4 that, Tony, if you want to just say for the
5 benefit of everyone else a couple of sentences
6 about who you are. But then you can do the
7 same thing when Monica gets here.

8 DR. CHATWIN: Okay. Good morning.

9 I am glad to be here. My name is Tony
10 Chatwin, Anthony Chatwin. You know that. And
11 I'm the Director of the Coastal and Marine
12 Conservation National Fish and Wildlife
13 Foundation.

14 I am an oceanographer by training,
15 fishery biology, and technical background.
16 And my whole area is marine conservation. I
17 look forward to working with you.

18 MR. BILLY: Thank you. Welcome.
19 Welcome.

20 MR. HOLLIDAY: So, with that,
21 that's my whole introduction.

22 VICE CHAIR BALSIGER: Okay. The

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1 first item is a number of items related to
2 MAFAC administration as well as the item we
3 postponed from yesterday: MAFAC action items.

4 So, without further ado, let me
5 turn over to Mark Holliday. And he can
6 present those in whichever sequence you want.

7 MR. HOLLIDAY: Thanks. Good
8 morning, everybody.

9 So a couple of the housekeeping
10 items first. We had some discussion yesterday
11 regarding dates, times, and places for the
12 next set of MAFAC meetings. There was some
13 interest in considering three meetings for
14 next year as one of the criterion to talk
15 about.

16 The other issue was scheduling a
17 meeting in time to have full consideration of
18 the NOAA draft catch share policy in full
19 session before the public comment period ends,
20 which tentatively would be probably the first
21 week in April at this point. It will be open
22 for four months approximately. So we have to

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1 schedule a meeting prior to that, have our
2 full discussion to make sure we get the
3 opportunity to review and comment on the draft
4 policy.

5 So, with that in mind, I sent an
6 e-mail last night out to set up an electronic
7 poll for people that I have identified
8 different meeting dates in March, May, July,
9 and October.

10 We looked at dates that didn't
11 conflict with at least known Council meetings,
12 Regional Council meetings, known Commission
13 meetings. This was just by checking websites
14 and different lists of events. We were
15 avoiding some of -- the recreational ICAST
16 meeting in Las Vegas, and some of the known
17 potential conflicts with members that have
18 been identified to give a list of the
19 potential dates.

20 So it's very simple to go through
21 an internet poll. You just click on the date
22 if you can attend it. If you can't make those

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1 meetings, just leave the box blank. And we'll
2 accumulate the times where most of the people
3 can meet at those different sessions. That
4 will give us some better idea about dates.

5 So I have a question of, how many
6 meetings do we want to have? I still have a
7 question about locations. Historically or
8 traditionally, one of our meetings is usually
9 held in the Washington, D.C. area to bring
10 people back here to talk to other folks at
11 NOAA and the Department. They make other
12 trips to make contacts with people in the
13 Washington, D.C. area. It's not a
14 requirement. It's not mandatory. But that
15 has been our practice in the past. We can
16 stick to that or we can change it.

17 The other precedent is we usually
18 take the other of our trips someplace in the
19 field. We try to rotate around on different
20 posts and equal people's burden on travel as
21 well as to try to visit a site that as -- it's
22 either co-located with a NOAA facility or some

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1 opportunity to get a more detailed briefing
2 and understanding of the work that NOAA is
3 conducting around the country, whether it's
4 the Sanctuaries program, a regional office, a
5 fishery science center.

6 So we have rotated those around.
7 And if you check the website, there is a list
8 of the meetings going back three or four years
9 to get central to where we are going, St
10 Petersburg, Monterey, Seattle. So there's New
11 York City.

12 We have generally met on the coast
13 somewhere, but we could meet in Montana if you
14 prefer. But those are choices that you can
15 make and suggest.

16 So I would like to have a few
17 minutes of discussion to answer the question,
18 do we want to have two or three meetings? I
19 want you to vote. We don't have to complete
20 the vote today, but we want to get some sense
21 of, do we have critical mass for these
22 meetings, the meeting dates that are proposed,

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1 and go from there.

2 So if we could just spend maybe ten
3 minutes on that because the other two topics I
4 want to speak about are about ten minutes?

5 MR. BILLY: Okay. So why don't we
6 start with the idea of two or three meetings a
7 year and see what your views are on that. So
8 the floor is open.

9 MR. CATES: Does anyone need three?
10 Do you need us three times? We're advising
11 you. The first question I would ask is, do
12 you need our advice that often?

13 VICE CHAIR BALSIGER: I can speak
14 to that briefly. I think normally two times a
15 year is a good frequency. We can tee things
16 up. We can use MAFAC members on the phone or
17 the subcommittees, in between those.

18 This may be a particularly
19 different year because the catch shares task
20 force policy will be out. And so the idea of
21 meeting while that comment period is open kind
22 of distorts the timetable a little bit.

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1 So I think Mr. Billy said whether
2 we want to meet two or three times a year, I
3 think it's we want to meet two or three times
4 in 2010. And so that may be a special
5 circumstance.

6 MR. CATES: I'm fine with it.

7 MR. BILLY: Other thoughts on
8 meeting two or three times this coming year?
9 Martin?

10 MR. MARTIN FISHER: Do we need a
11 motion to change it?

12 MR. BILLY: We sort of state our
13 collective thoughts.

14 MR. MARTIN FISHER: I would
15 certainly support it. I think, especially
16 with the catch shares policy, we have a
17 meeting before that. And we certainly
18 wouldn't want to spend the rest of the year on
19 more than one.

20 MR. RAFTICAN: Yes. Thank you,
21 Tom. I would go along with that. And I would
22 actually say this past year we actually

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1 probably would have been better served if we
2 balanced three meetings. That would be ocean
3 policy and marine spatial planning coming
4 through it. It's really a little bit
5 variable.

6 MR. BILLY: One of the things that
7 we talked about in Heather's subcommittee was
8 the idea of embarking on the new effort over a
9 couple of years to update the 2020 document
10 into a 2030 document that would take account
11 of all of the new developments and so forth.
12 And that takes a fair amount of time as well.

13 And so we would facilitate, I
14 believe, that process, getting it started, if
15 we had more time together. So that is another
16 observation I wanted to share.

17 Erika?

18 MS. FELLER: I think in 2010, with
19 the catch share, it is important to have a
20 third meeting. But I would argue that the
21 catch shares task force policy is going to be
22 a really big deal. And that third meeting, I

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1 would like to see that focused principally on
2 the catch shares policy, you know.

3 MR. BILLY: Heather?

4 MS. McCARTY: Mr. Chairman, thank
5 you. That was one of the suggestions that was
6 brought up in the subcommittee. And that was
7 in the draft report with --

8 MR. CATES: Will catch shares take
9 three days?

10 MR. BILLY: It's hard to say. It's
11 a big, complicated set of issues that may well
12 deserve that kind of time, including the
13 considerations related to recreational issues.

14 So as we develop the agenda, we can look at
15 that.

16 I think the consensus seems to be
17 there is a clear preference, at least for this
18 coming year, to have three meetings, including
19 a meeting in March time period that would be
20 focused primarily, if not exclusively, on
21 catch shares. And we'll let NOAA sort that.
22 Any objection to that, what I just said?

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1 Heather?

2 MS. McCARTY: I think it's a good
3 idea to have a meeting focused on catch
4 shares. I think we also might take the
5 opportunity there to have updates on other
6 things that you feel like -- I don't think we
7 have to feel like we can't do anything else.

8 And, second, we want to get our
9 comments in before what looks like end of
10 April time period for comments on catch
11 shares, middle of April, first week of April.

12 MR. HOLLIDAY: We do four months
13 from the beginning of December, would be
14 beginning of April.

15 MS. McCARTY: Beginning. So I
16 guess my question on timing is, mid March,
17 third week in March, is that enough time? And
18 is there any other time between January and
19 April that works? I know you said you went
20 through a big process to get to the March
21 date. I just wondered if there were any other
22 options.

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1 MR. HOLLIDAY: We could do it
2 earlier.

3 MS. McCARTY: Yes.

4 MR. CATES: I'd like to comment on
5 that. I'm fine with March. I'm concerned
6 that it means we might be in an area where the
7 snow is blowing sideways. And there's only
8 one slot of dates. So that's a big concern
9 that it might be February.

10 MR. BILLY: There might be more
11 snow. All right.

12 MR. HOLLIDAY: I can't answer
13 Heather's question. I don't have alternative
14 February dates mapped out, but there were a
15 number of conflicting times in February that
16 we tried to avoid.

17 If you want more options than we
18 have on the table, we'll do that. I think
19 there is sufficient time. My understanding
20 was we were going to try to get the comments
21 spending the entire time with time on catch
22 share so that by the time we left, we would

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1 have a product that we would be able to send
2 forward with just some staff cleanup and
3 submission, as opposed to subsequent rounds of
4 review and refinement by the Committee.

5 So in some cases, we want the month
6 after the fact to continue to send things
7 around. In this case, I thought it would be
8 fine to have it in a face-to-face discussion
9 and avoid any conference calls or any further
10 --

11 MR. BILLY: All right. Well, let's
12 tentatively think in terms of March, but, Mark
13 and Chuck, whether there are any other
14 options, share that with us by e-mail.

15 Let's move on and talk about
16 location. One suggestion has been made as to
17 tying it to the seafood --

18 MR. HOLLIDAY: Boston seafood show?

19 MR. BILLY: -- seafood show in
20 Boston. A number of people have come up to me
21 and expressed concern about that location that
22 time of the year. So the floor is open for

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1 discussion about location preferences.

2 MS. LOVETT: It's not any worse
3 than what we have.

4 MR. HOLLIDAY: Oh, yes, it is.

5 MR. BILLY: Right. That's the
6 point. Well, if I could? It wasn't a
7 mandatory suggestion, right, by any stretch of
8 the imagination. Prior meetings we talked
9 about linking a MAFAC meeting to some of these
10 larger shows that people would benefit from
11 going to or be interested in going to or might
12 be going to anyway.

13 And so the Boston seafood show,
14 Saturday, Sunday, Monday; begin a MAFAC
15 meeting on Wednesday, Thursday, Friday. If
16 people had no interest in it, they would show
17 up, but the normal times if people were
18 interested in visiting and learning about what
19 goes on in the seafood show, that could be
20 arranged.

21 It is certainly not the only
22 option. It is just one that had been

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1 expressed previously in this type of
2 discussion at the prior meeting.

3 VICE CHAIR BALSIGER: Martin?

4 MR. MARTIN FISHER: I don't mind
5 being the sacrificial lamb this morning.
6 Several of us have talked about the
7 possibility of going to Hawaii. There seems
8 to be a NOAA center there. It would certainly
9 afford some of the people there in the
10 Northwest something we can't even, those who
11 are in the Northeast. We came east last time,
12 went west last time. So it's like a nice
13 balance to go west again.

14 MR. BILLY: Thanks. Vince?

15 MR. O'SHEA: Yes. I'm curious.
16 You said you had concerns about Boston, about
17 the seafood show. What specifically were the
18 concerns?

19 VICE CHAIR BALSIGER: It's cold.

20 (Laughter.)

21 MR. O'SHEA: Just the weather? We
22 did something at the Commission on the

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1 shoulders of the show last year with the hotel
2 right across the street. Actually, it was
3 pretty terrific. That whole section of Boston
4 has been redeveloped. And it's really pretty
5 fancy. We were able to get rooms, et cetera.

6 So thanks.

7 MR. BILLY: Erika?

8 MS. FELLER: Given that I'm
9 freezing this week, I'm quite conditioned to
10 this. I guess I kind of wonder if we have
11 this in conjunction with the Boston seafood
12 show, that might increase the number that
13 would come in and give public comment on the
14 catch share policy, I mean, if that's what
15 we're going to talk about.

16 You know, we have a public comment
17 period. If we want to get a lot of people, it
18 might be a really good opportunity to hear
19 from the folks.

20 VICE CHAIR BALSIGER: Thank you.

21 MR. BILLY: Martin?

22 MR. MARTIN FISHER: Is that

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1 something that often happens? I mean, that is
2 something I am unfamiliar with.

3 MR. BILLY: No, no.

4 MR. MARTIN FISHER: Okay.

5 MR. BILLY: Bill?

6 MR. DEWEY: I think Erika raises a
7 good point. There would be an opportunity
8 there to actually advertise our public comment
9 opportunity, to encourage it. It couldn't
10 hurt.

11 MR. BILLY: And you could
12 structure, sequence the meeting where you
13 could tackle that early on for consideration
14 in our discussions.

15 MR. CATES: I have a couple of
16 comments on that from having worked the Boston
17 seafood show. The only way that would work is
18 if this meeting is going on at the same time,
19 not after.

20 People have already made their
21 arrangements. People that go to the Boston
22 seafood show are not necessarily fishermen.

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1 They're seafood business. So it's a
2 completely different crowd. It would have to
3 be simultaneously. It can't be before or
4 after.

5 The other comment I would have is I
6 would love to have it in Hawaii, but wherever
7 we choose, a suggestion I have is we should
8 send a letter to the congressman of that area.

9 For example, if we had it in Hawaii, send a
10 letter to Senator Inouye expressing our
11 support for that region and that's why we're
12 going there or if it's in Alaska or if it's in
13 Boston. This is an easy way of getting some
14 brownie points.

15 MR. BILLY: I'm curious just to
16 notice, how many of you are planning to go to
17 the Boston seafood show regardless?

18 MR. CATES: I might be forced to.
19 I don't know.

20 (Whereupon, there was a show of
21 hands.)

22 MR. BILLY: Four. So five or six.

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1 Okay.

2 MR. WALLACE: I'll admit my plans
3 would be compromised if we're going to Hawaii
4 the day after.

5 MR. BILLY: Is there any preference
6 that the Committee would like to express to
7 NOAA regarding geographical location beyond
8 Boston, one option being Boston? Heather?

9 MS. McCARTY: Are you looking for a
10 motion, Mr. Chairman?

11 MR. BILLY: Okay.

12 MS. McCARTY: I wasn't suggesting I
13 was going to make one. I was just wondering
14 if that is what you meant because if we have
15 to vote on it, it might be a little bit
16 different.

17 Personally I agree with Randy. I
18 don't think that the crowd where we can have
19 comments on catch shares is going to be in
20 Boston. During the marketing end of things,
21 business end of things, we meet in Boston.

22 Boston is a fabulous place. Hotels

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1 are fabulous. The show is fabulous. The
2 weather at that time is not fabulous. But I'm
3 not sure that should be our reason.

4 I just think it would be nice to go
5 west, like Martin said. And if Hawaii is
6 something that we think we want to do, we
7 should.

8 MR. CATES: Are there any other
9 events or council meetings that we can come up
10 with in February or March? I think teaming up
11 with a council meeting might make sense to us
12 to see how councils work.

13 MR. BILLY: Tom?

14 MR. RAFTICAN: I was just going to
15 say when was -- you know, we were actually in
16 New York -- I know New York and Boston are
17 relatively close -- just last year. When was
18 the last time we were in Hawaii?

19 PARTICIPANT: Four years. It was
20 my first meeting.

21 MR. DEWEY: Just respond to the
22 meeting. The World Aquaculture Society

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1 meeting is in San Diego March 1 to 5.

2 VICE CHAIR BALSIGER: What was the
3 date?

4 MR. DEWEY: March 1 to 5, the World
5 Aquaculture Society meeting.

6 PARTICIPANT: Where?

7 MR. DEWEY: San Diego.

8 MR. BILLY: Someone else?

9 MR. ALEXANDER: I attend all of the
10 council meetings in New England, and they're
11 not very well-attended publicly. So I'm
12 assuming that you wouldn't get a lot of public
13 comment on if you had a separate theme on
14 catch share.

15 MR. BILLY: Martin?

16 MR. MARTIN FISHER: I'll continue
17 down the chute. I'll make a motion that we
18 hold the next MAFAC meeting in March in
19 Hawaii.

20 MS. McCARTY: Second.

21 MR. BILLY: Any discussion?

22 (No response.)

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1 MR. BILLY: Seeing none, all of
2 those in favor?

3 (Whereupon, there was a show of
4 hands.)

5 MR. BILLY: Opposed?

6 (No response.)

7 MS. DANA: And you know, if there's
8 a way to ensure that we got public input
9 without having the public at the meeting, then
10 it could be incumbent upon ourselves to reach
11 out to some of those communities out there
12 that are related and to get their input in
13 writing and submit it to be read.

14 MR. BILLY: Mark?

15 MR. HOLLIDAY: Yes. Just a point
16 of information. I'm putting on my hat here,
17 Executive Director hat. Once we publish the
18 draft catch share policy, NOAA is going to be
19 holding a number of listening sessions,
20 roundtables, meetings around the country
21 associated with Regional Council meetings,
22 outside of Regional Council meetings with

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1 associations, stakeholder groups, fishing
2 associations, communities.

3 And so NOAA is going to be seeking
4 public input directly from a number of these
5 different venues, in addition to the website.

6 So MAFAC obviously wants to learn and find
7 out as much as it can before it makes its own
8 decision, but it should know that this is not
9 the only opportunity the public would have to
10 come to a MAFAC meeting to express their
11 interest to NOAA about the policies.

12 VICE CHAIR BALSIGER: Well, Mark
13 brings up a good point. So if MAFAC members
14 are conveniently close to one of these other
15 sessions, that may be a good place for you to
16 get input, to be informed, before we meet in
17 March and Hawaii.

18 MR. BILLY: That's a good idea.
19 Yes.

20 Martin?

21 MR. MARTIN FISHER: Well, to that
22 end, is it possible that NOAA could provide us

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1 with an early look at a compilation of some of
2 that public testimony at our meeting in March?

3 Because it will be almost at the end of the
4 public comment period? Do you think we could
5 rely on you guys to provide us with that
6 information?

7 MR. BILLY: Mark?

8 MR. HOLLIDAY: So the way we will
9 be doing the public comment on the internet is
10 we are using a media software that allows
11 people to file their comments electronically.

12 And they get posted immediately on the
13 internet.

14 So as people comment on this,
15 people can react to it, see it, and add
16 additional comments. It's the same tool that
17 was used to gain comments on the interagency
18 open policy task force, open government
19 policy, the CEQ website.

20 So you can type in your comments,
21 and you can post them. If people don't want
22 to do that, they can still file them by mail

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1 or by fax or by snail mail.

2 The idea was to generate broad
3 public interaction on the different views and
4 perspectives and have people see those close
5 to real time.

6 MR. MARTIN FISHER: So that would
7 give us a real --

8 MR. HOLLIDAY: So you can follow
9 that from the day, the first comment on
10 forward, and see what people are expressing as
11 their support, concern, issues, et cetera.

12 MR. BILLY: Okay. To bring this,
13 then, to closure, I think we have taken care
14 of the March meeting. Now we need to respond
15 to your e-mail regarding acceptable dates for
16 the two other meetings, that process is
17 underway. And we can state our preferences
18 for the location for those two meetings at the
19 March meeting.

20 So are we finished with this?

21 MR. HOLLIDAY: For planning
22 purposes, I would like to get information

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1 about where we want to meet, not necessarily
2 today but before the March meeting so we can
3 get the best available deals and look at the
4 pricing of this. As we go to Hawaii, we need
5 to be more concerned about cost.

6 MR. BILLY: Okay. All right.
7 Patty?

8 MS. DOERR: Just a simple question.
9 Since the March meeting has now formally been
10 shifted from Boston to Hawaii, has the meeting
11 stayed the same or is that going to change,
12 like that time?

13 MR. HOLLIDAY: Yes. I think the
14 people are going to be those five people who
15 are in Boston on Wednesday are expected to be
16 in Hawaii on Thursday. That's going in the
17 right direction. We're going in the right
18 direction?

19 PARTICIPANT: For some time, ten
20 hours.

21 MR. HOLLIDAY: Well, quickly, I
22 mean, we were going to try to look for

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1 additional dates, at the request of Heather,
2 in the February time period and didn't have
3 conflict.

4 So 16 people have already responded
5 to polls. So we'll put up some additional
6 dates and ask people to look at those as well.

7 MS. McCARTY: Thank you.

8 MR. HOLLIDAY: We are already at
9 9:00 o'clock.

10 MR. BILLY: Yes. That's why I was
11 trying to --

12 MR. HOLLIDAY: Yes. I understand.
13 So if we can move on to the next piece of it?

14 MR. BILLY: Yes.

15 MR. HOLLIDAY: Those of you who
16 have been on committees, you recall that we
17 proposed some charter revisions to MAFAC three
18 meetings ago. This had been at a time where
19 we had just resubmitted our charter to the
20 Department.

21 So every two years we have to renew
22 our charter. We had just renewed it in order

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1 to avoid the expiration. We had some ideas
2 about how to change the charter. We have the
3 draft charter that's been approved and waiting
4 to be implemented. And our charter is now up
5 for renewal in January of 2010.

6 There is nothing terribly
7 controversial about the charter. The question
8 on the table for NOAA and the Department as it
9 moves forward has to do with the chairmanship
10 of the Committee itself.

11 Currently Dr. Lubchenco is the
12 official Chair of MAFAC and the Assistant
13 Administrator for Fisheries, Jim, is the Vice
14 Chair. Other advisory committees, the Marine
15 Protected Area Committee, they have an
16 election to appoint their own chairperson.

17 The NOAA Science Advisory Board,
18 the chairperson is actually appointed by Dr.
19 Lubchenco from the membership. So there are
20 three different models. The preference that
21 MAFAC expressed was to elect their own member
22 from among those who are appointed by the

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1 Secretary. And that is the preferred option
2 that would move forward.

3 We have provided this information
4 formally to NOAA. We are in the process of
5 moving the package through the channels for
6 clearance. Monica Medina has been briefed on
7 this. And I think the notion would be if she
8 doesn't address it directly in her remarks,
9 which I think she will, we can ask questions
10 afterwards and see if there is particular
11 comment she has on that question.

12 I expect that the charter would be
13 sent forward and approved in time to replace
14 the one that currently expires at the end of
15 January 2010, as you have recommended. So it
16 was more just an update on what was happening
17 charter-wise.

18 The carryover item from yesterday
19 that we didn't get to was the action items.

20 Tony?

21 DR. CHATWIN: Could I just ask on
22 the charter, just if change happens, will that

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1 affect participation of the leadership in the
2 MAFAC meetings? Because what I understood is
3 that we would elect our chair, like it's done
4 in the MMPA. Would that affect the
5 participation? I think it's important that
6 that continues.

7 MR. HOLLIDAY: Well, participation
8 by NOAA and other leadership is a separate
9 issue that MAFAC has discussed. And hopefully
10 we'll have some dialogue with Monica Medina as
11 well.

12 VICE CHAIR BALSIGER: Basically
13 this group has acted by electing the liaison,
14 which since I have been around is who actually
15 chairs the meeting, the last two years I've
16 been.

17 So what we have recommended is a
18 process pretty much what we're following. So
19 this would just kind of straighten out the
20 paperwork to recognize that is what we are
21 doing as long as NOAA downtown agrees.

22 MR. BILLY: I know in the advisory

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1 committees, the ones I am aware of, most of
2 them have a chair elected from the membership,
3 not all.

4 MR. CATES: Where is the charter?
5 Will you hand it out to us or is it --

6 MR. HOLLIDAY: It's posted. Heidi?

7 MS. LOVETT: It's on the website
8 under "MAFAC Administration," provides for the
9 charter membership.

10 MR. CATES: And has the updated one
11 that we --

12 MS. LOVETT: It's got track
13 changes.

14 VICE CHAIR BALSIGER: Okay. Let's
15 move on.

16 STATUS REPORT

17 - MAFAC ACTION ITEMS

18 MR. HOLLIDAY: The third item that
19 carried over from yesterday, there was a
20 request a meeting or two ago for us to
21 assemble a tracking table of a recommendation
22 from findings of MAFAC so that we can keep

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1 tabs on what is happening.

2 Heidi, could you advance the slide
3 a couple of pages? I only have two or three
4 slides. What I passed around this morning
5 looked like a spreadsheet. It is a
6 compilation of fiscal year 2009 meetings. So
7 it included the last two.

8 There are 31 recommendations that
9 are actually used that were identified by
10 MAFAC. You can check this out for yourself by
11 going to the website and looking at the
12 reports that get sent forward to NOAA. We
13 highlight the recommendations and summarize
14 the meetings.

15 Thirty-one of those actions were
16 recorded by the staff. Fourteen of the 31
17 there clearly were yes. They were completed.
18 They were accomplished.

19 Eight of them clearly were no that
20 they were not completed. Five were still
21 works in progress. Two are partially
22 complete. Two were not done because they were

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1 overtaken by events. We figured it was no
2 longer relevant to take the action because a
3 deadline had passed. There was a new request
4 for doing something that superseded those, the
5 requests that had been submitted originally.

6 So this is sort of a performance
7 metric of where we stand. There are a variety
8 of comments in the note status column about
9 what happened as a description. So this was
10 our first attempt to try to sort through, to
11 keep track on, keep tabs on what is going on.

12 Just look at the next slide,
13 please. So, as a result of this -- I mean,
14 clearly we're not failing at following up.
15 We're not doing as well as we might like to
16 do. I talked a little bit with the staff
17 about this. How can we improve upon that?
18 Certainly having a device like this is one
19 starting point.

20 There were three things that I
21 wanted to put out to your consideration and to
22 look at. The first would be each time we have

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1 a recommendation or a finding that requires
2 some action, that we identify a member to be
3 an owner or champion of that recommendation.

4 So that person between meetings and
5 over time would be the point person to liaison
6 with my staff, with NOAA leadership, DOC on
7 the issue so that as questions come up, so
8 that there is some continuity between the two
9 meetings we have a year on the committee
10 itself, we have somebody whose responsibility
11 it is to know and keep track of what is
12 happening. That is one idea to consider.

13 The second idea is my staff is
14 willing and able to provide a quarterly report
15 via e-mail that updates this table that would
16 be e-mailed to all members so that the entire
17 membership understands where things stand.

18 So from something that is still in
19 the no column from December of 2008, you will
20 be aware of it. You will see what the status
21 is in that last column, what has happened from
22 the last quarter.

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1 So this would provide an
2 opportunity to track the performance over the
3 course of the year by the entire Committee.
4 So that keeps everybody informed.

5 And then the third idea for your
6 consideration is we have an Executive
7 Committee. It's made up of the chairs of the
8 subcommittee, each of the subcommittees, and
9 the Committee liaison, in this case Tom. Have
10 them as a group meet via conference call,
11 small group conference call, after this
12 quarterly report of what is going on to
13 address the action item progress.

14 And if there are any questions or
15 any problems, any things that they need to
16 make, they have to take actions on that
17 Executive Committee. They could identify
18 issues to be addressed by the full Committee
19 if we need to make phone calls, if we need to
20 have a letter written, we need to have a
21 follow-up made.

22 We can use the Executive Committee

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1 as the vehicle for being -- again, some
2 continuity I think is what we are looking for
3 between meetings. That seems to be one of the
4 symptoms of why many of these things don't get
5 the attention to follow-up that they need. So
6 it does respond to this issue of continuity.

7 So those are three ideas for your
8 consideration. And we will continue to
9 maintain this. It's what do we want to do
10 with it and who wants to be, what are the
11 right people to be involved in using that
12 tool?

13 MR. BILLY: Okay. Let's open the
14 floor. Martin and then Vince?

15 MR. MARTIN FISHER: Well, I would
16 like to really commend Dr. Holliday on this
17 work. Jim, I had a request from last meeting
18 that we have some follow-up. And I think he
19 went beyond and above the call of duty here
20 and came up with some great ideas.

21 Especially the first one, that is
22 really going to help with continuity and

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1 following along. It's a really great
2 approach. And I appreciate it. Thank you.

3 MR. BILLY: I would like to comment
4 on that, too. I have been thinking about
5 getting access to both the Under Secretary and
6 the Secretary. And all three bullets would
7 play a role in preparing us to do that kind of
8 thing.

9 And if there were opportunities for
10 such meetings, having a champion or an owner
11 that were to accompany whoever else would go
12 and be prepared to speak to the key issues or
13 recommendations for development, I think would
14 work well. That is a good idea. And then the
15 rest of the process would be very helpful as
16 well.

17 Vince?

18 MR. O'SHEA: Thank you, Mr.
19 Chairman.

20 Is there a NOAA person currently
21 assigned to run the recommendation through
22 NOAA?

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1 MR. HOLLIDAY: Our recommendations
2 are forwarded to the NOAA Executive
3 Secretariat. So Dr. Balsiger forwards it to
4 Dr. Lubchenco. Here is the summary of the
5 findings of the results. And that goes
6 forward to the NOAA Secretariat, forwards that
7 to the Department, forwards that to the NOAA
8 leadership. So that is a Secretariat
9 function.

10 MR. O'SHEA: It kind of sounds like
11 a no.

12 MR. HOLLIDAY: Is there a NOAA
13 person whose job it is to track MAFAC? That's
14 me. I work for NOAA.

15 MR. O'SHEA: I guess I don't
16 understand what the problem is. In other
17 words, if the MAFAC recommendation is getting
18 lost in the machinery of NOAA, having a person
19 outside of NOAA run it through the machinery
20 of NOAA, I understand it is not an internal
21 NOAA recommendation. That is the reason for
22 the outside advocate. But the flip side is

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1 what is the outside person going to do to try
2 to push this thing through the internal
3 mechanism?

4 I'm not advocating that. I'm just
5 wondering what the rationale would be why it
6 wouldn't be a NOAA person to run the ball
7 through NOAA to get an answer on --

8 VICE CHAIR BALSIGER: I think
9 you're probably right. You know, in a perfect
10 world, this group does its job and says,
11 "Here, Jim. Here is what we're going to work
12 on." So if we actually stepped up and did
13 everything perfectly, we wouldn't need any
14 more input from you until the next time.

15 There was some dissatisfaction
16 expressed at a couple of meetings that these
17 things fall between the cracks between
18 meetings. So this is a way, to crudely put
19 it, to keep the flyer at our seats.

20 So if you have a champion from this
21 group on each issue and that champion could
22 call me or call Mark or whatever on a weekly

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1 or monthly or whatever basis and say, "Are you
2 working our issue?" because, frankly, when
3 this meeting ends, there is another meeting
4 tomorrow. And we tend to drop things. And so
5 that's trying to avoid that.

6 And I admit if we had everything
7 exactly lined up, you guys shouldn't have to
8 have any responsibility to make sure we do our
9 work. But it's a way of putting you in a
10 position to flog us a little bit.

11 MR. O'SHEA: Okay.

12 MR. BILLY: Bill, Heather, and Tom?

13 MR. DEWEY: I just wanted to echo
14 Mark's sentiments and compliment Mark on your
15 efforts here. I really appreciate the chart
16 and the tracking and would highly support all
17 three of these recommendations.

18 MR. BILLY: Heather?

19 MS. McCARTY: Same thing. I think
20 it's great to have exactly the kind of thing
21 you are talking about. I have one small
22 concern about bullet number 3, and that is

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1 sometimes in my experience when boards have
2 executive committees and they start doing the
3 business of the board, the board loses contact
4 with the material and the actions and get sort
5 of behind the executive committee. I am
6 always fearful of that.

7 And so I think in that case, there
8 ought to be a really well-established
9 communication link between the executive
10 committee and the board that is kind of a
11 scheduled, you know, update or something like
12 that.

13 MR. BILLY: You mean the full
14 committee?

15 MS. McCARTY: Yes, the full
16 committee so that they don't get across there.

17 MS. McCARTY: Tom?

18 MR. RAFTICAN: I'll go along with
19 what, first of all, Mark has done an excellent
20 job overall and particularly on the follow-up
21 on this but also jump on board with what
22 Heather said.

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1 And maybe I look at this and think
2 that, you know, you put together a quarterly
3 conference call and then simply put out a
4 document to the rest of the Board and, you
5 know, clearly keep them up to date.

6 The other suggestion that I would
7 make is the fact that you have an executive
8 committee with people that are running these
9 subcommittees. Those should be the experts
10 and champions on this and maybe if it's put
11 forward more explicitly, it makes it a little
12 easier for some of us to go "Okay. Fine.
13 Let's check up."

14 You know, I don't see anything
15 wrong with at least a monthly follow-up in
16 between a quarterly conference call if we were
17 to follow this model.

18 But, all of a sudden, you know --
19 and what it does, it helps. Not only do you
20 have meetings as soon as you leave here. So
21 do we. And oftentimes it gets shuffled.

22 I know, speaking from personal

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1 experience, it kind of gets, "Okay. Fine.
2 I'll handle this next." And the next thing I
3 know is we're heading off to the next meeting
4 and I'm kind of dusting off the pilot and
5 going back to try and catch up.

6 So it would actually keep a lot of
7 us more honest along the way, too.

8 MR. CATES: I do have a question
9 for Jim. We heard how the flow of information
10 currently is going. Do you ever get feedback
11 from above you on the work we have done?

12 VICE CHAIR BALSIGER: There's no
13 formal feedback, but, you know, I have
14 reported directly to Mary Glackin. So my next
15 monthly meeting, I will go over these issues.

16 She is very good at keeping track of things
17 that are ongoing. She will check with the
18 other people downtown.

19 So I get feedback that way. On
20 occasion, I will get a chance to talk to --
21 Lautenbacher I used to be able to talk to
22 fairly easily. Dr. Lubchenco is a little bit

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1 more difficult to schedule. But it's fairly
2 informal.

3 MR. CATES: I kind of thought that
4 we sort of were talking about this, I think it
5 started, back in St. Pete, how to handle our
6 recommendation and what our responsibilities
7 are.

8 I think it's an issue that we
9 should be discussing very soon on the work we
10 do and how it is handled. It's been three
11 years for me personally, and I don't think
12 we're really doing our job. We're doing our
13 job here, but we're not doing what our
14 responsibilities are. We need to think about
15 how we're going to correct that.

16 VICE CHAIR BALSIGER: Well, I think
17 the advice does get to the right place through
18 the process that Mark has identified. But I
19 will take your advice and see if there are
20 ways that we can emphasize this report at a
21 variety of levels, not just at Glackin's level
22 but other places, and make sure that it has

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1 come to their attention.

2 MR. CATES: We knew we were having
3 a new administration coming in. There was a
4 lot of discussion on what we would do, how we
5 would handle that. I recall a lot of
6 suggestions about having meetings face to face
7 with our Chair, with the Secretary of
8 Commerce. It seems to be a resistance of even
9 asking for that meeting.

10 I would propose that we should move
11 forward and ask for that meeting and let him
12 turn us down because right now I think if I
13 were in his shoes, I could turn around and
14 say, "Well, you're my advisory board. How
15 come you haven't met with me? Where is the
16 request?"

17 We have never done that. There has
18 been some tension on whether we should or
19 shouldn't.

20 MR. BILLY: Okay. My understanding
21 is we are going to take that under advisement,
22 think about how we might be more effective in

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1 that area.

2 VICE CHAIR BALSIGER: One thought
3 is I am not sure how long Monica Medina's
4 comments would be, but it doesn't seem to me
5 to be out of line for you to ask her if she
6 thought there was a more effective way of
7 getting the information to the Secretary other
8 than by a piece of paper that might be -- is
9 there a way to have a direct discussion with
10 her?

11 And if that doesn't come up, I will
12 take it on myself to try to achieve the same
13 kind of information in a week or something
14 like that.

15 MR. BILLY: And we embrace the
16 recommendation tomorrow or all positive
17 responses? So let's make that happen.

18 Steve?

19 MR. JONER: Can I just back up to
20 where Randy was? Has MAFAC actually sat down
21 with the Secretary or the Under Secretary?
22 And has there been backsliding or --

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1 VICE CHAIR BALSIGER: I think the
2 MAFAC has been used different ways. Frankly,
3 I don't think Dr. Hogarth wanted NOAA
4 involved. I think he liked it. They were his
5 group. He had a way he wanted to use them.

6 So as these suggestions come up
7 with it, we ought to have the Secretary come
8 here. We would like to have seen him visit,
9 but he didn't want to stay during the meeting
10 because we were going to talk about this
11 issue.

12 So I wouldn't do things quite that
13 way. And that is why we are trying to figure
14 out a way to more effectively try and scramble
15 to bring things to the administration.

16 So I think, looking at the history,
17 I only go back maybe six years that I have
18 been coming to these. So maybe before that
19 things were different again.

20 MR. BILLY: I can share a little
21 more. With the first several years, the
22 administrator, the Under Secretary the title

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1 was eventually changed to, not only
2 participated in the MAFAC meeting but ran the
3 meeting. And that continued for at least ten
4 years.

5 I don't remember much beyond that.

6 Only recently in the last 10 or 15 years,
7 that has changed from my observations to the
8 way it is now.

9 Did you have a comment?

10 DR. CHATWIN: Again, is there a
11 concern that the MAFAC recommendations haven't
12 been adopted? Are they willing when the body
13 makes recommendations? Is there a clear
14 target on how they can help the agency
15 implement them? Is there a clear target for
16 the recommendations?

17 To me I think it is important to
18 have communications with leadership, but more
19 important is that we see our work having an
20 influence. So I just wondered if looking
21 back, that hasn't been the case.

22 MS. McCARTY: It sort of depends on

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1 the subject. There are some that are clearly
2 targeted to NOAA Fisheries in terms of its
3 policy and procedures and approaches to
4 issues. Others are targeted more broadly to
5 the NOAA weather, and sometimes it involved
6 other parts of NOAA or other agencies of
7 government.

8 And few are broader than that and
9 targeted to departmental level. For example,
10 our 2020 document that was created that
11 reflected the vision of this group in terms of
12 what fisheries should look like in the year
13 2020.

14 There was a lot of interest early
15 on in having a dialogue with the Secretary
16 about this vision, what the Department's role
17 would be in that regard beyond NOAA and NOAA
18 Fisheries. So it varies.

19 Who else? Randy?

20 MR. CATES: I have a couple of
21 comments that are relevant here. I am in
22 aquaculture. And I remember years back

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1 Admiral Lautenbacher I met probably once or
2 twice. And though he asked the right
3 questions and stuff, it wasn't a real
4 interest.

5 When Secretary Gutierrez got
6 interested in aquaculture, all of a sudden,
7 Admiral Lautenbacher loved aquaculture. And
8 he truly engaged.

9 It is my prediction if we do what
10 the charter says we are to do and we meet and
11 advise the Secretary of Commerce, you would
12 probably see more involvement. I mean, we
13 have, again, Mark, that's great. You're going
14 to see more of an interest. And I think the
15 recommendation from the body will be taken a
16 little more seriously.

17 Over the years this group does
18 great work. And sometimes I feel like the
19 issues are lost a little bit, but we deal with
20 really, really important issues.

21 I expressed yesterday about, I have
22 a friend who found out she became pregnant and

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1 her doctor recommended not to eat fish for 18
2 months. And at the last MAFAC meeting, we had
3 an update on how important it is for this
4 person to eat fish.

5 That's a huge thing in my opinion,
6 that we have a role to push along that
7 science-based information. And I think we
8 could do better than what we're doing. It is
9 important. It's really important.

10 MS. BRYANT: Thanks, Tom.

11 Just on some of the history of
12 MAFAC, having done it prior to Mark -- and
13 Randy is about the only person who was here
14 when I first started -- back in '99, I think
15 was the first meeting I attended. Prior to
16 the last administration, there was a very
17 concerted effort.

18 MAFAC had really kind of fallen
19 into disrepair. And the mission and things
20 have changed. And, all of a sudden, there was
21 a lot of sense of irrelevancy and frustration,
22 both in terms of the administration of it at

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1 fisheries and in terms of the individuals who
2 were actually contributing on the advisory
3 committees.

4 So a strategic planning process was
5 put into place to really restructure this
6 Committee to begin to act as a
7 consensus-building body.

8 What had happened is it really
9 fractured into almost like a fisheries
10 management council. You ended up with six
11 different opposing viewpoints. And that was a
12 very good way to go into the circular file for
13 any Secretary of Commerce.

14 So there was a real concerted
15 effort to do that. More attention, more
16 structure got put on it. But then the
17 administration changed, and Bill Hogarth took
18 over. Jim's right. He very much wanted
19 control of all of the communications between
20 the Committee and NOAA. So you guys are
21 continuing to evolve.

22 I will let you know I am only two

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1 weeks into this new position working for Andy
2 Winer. And the Office of Communications and
3 External Affairs, that notification changed.
4 Its structure and purpose just got released in
5 less than a month ago.

6 And one of the things that Andy
7 Winer is very interested in proposing to Dr.
8 Lubchenco and Monica Medina is that part of a
9 more robust and functioning communications in
10 external affairs will be to put in a
11 formalized function for somebody to make
12 certain that recommendations coming from
13 advisory committees -- and MAFAC is one of
14 several, but it's one of the oldest and most
15 important -- are actually getting followed
16 through.

17 I think that is something that has
18 been missing for that kind of continuity that
19 years ago, when Tom was mentioning it, MAFAC
20 was the actual advisory committee that helped
21 establish and advise the Secretary of Commerce
22 on what those eight fisheries management

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1 councils look like. There was a real need
2 initially.

3 But, as history has moved forward
4 and fisheries have become more
5 conservation-oriented and all of those things,
6 functions got taken over by those eight
7 fishery management councils, the advisory
8 capacity of MAFAC needed to shift. And I
9 think that is what you guys are now
10 experiencing and carrying forward.

11 So I don't know if that helps to
12 kind of put it in context, but it's a history.
13 And it's still in motion.

14 MR. BILLY: Thank you very much.

15 I think I am going to move us on to
16 the next item. As Jim informed us, there is
17 an opportunity with Ms. Medina to express some
18 views and indicate our concerns. So we should
19 take advantage of that.

20 So, Mark, anything else? Okay.
21 All right.

22 Let's move on, then, and get an

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1 update on aquaculture. Mike Rubino is the
2 Manager of the NOAA Aquaculture Program.
3 Mike, the floor is yours.

4 MR. RUBINO: All right. I know the
5 acoustics in this room are not very good. So
6 if you can't hear me, please let me know.

7 Thank you very much for the
8 opportunity to once again provide you with an
9 update and to get your thoughts and comments
10 on aquaculture.

11 Yesterday you heard before lunch
12 about wind energy in Rhode Island. A couple
13 of weeks ago I was at a conference in Rhode
14 Island on wind energy, but it also dealt with
15 aquaculture, fishing, and other coastal uses.

16 It was pretty high-powered. Both
17 senators from Rhode Island were there. The
18 governor was there, policy wonks talking about
19 marine spatial planning and what it can do for
20 you and what it can't do for you.

21 There were also some very blunt
22 businessmen and fishermen there, one of whom

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1 was Dan Cohen. Some of you may know him. He
2 and his partners own 14 or 15 scallop boats
3 that fish out of Cape May, New Jersey and New
4 Bedford.

5 Initially they were opposed to wind
6 energy, but they saw this trend sort of
7 happening. And they said, "Well, you know, if
8 we can't beat them, we need to join them."
9 And they have formed the Fisherman's Wind
10 Energy Cooperative. They are one of the
11 companies bidding on wind energy leases up and
12 down the East Coast and organizing fishermen
13 up and down the East Coast.

14 Now, Dan I think is still a skeptic
15 as to whether the U.S., both at the federal
16 and the state levels, has the will power to
17 sort of pull together the regulatory morass
18 and all the decision-making steps, the marine
19 spatial planning, the coordination that it
20 takes to do something new in the marine
21 environment.

22 His company also grows oysters in

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1 Delaware Bay. And they import a large
2 quantity of scallops from China. This is a
3 diversified seafood company.

4 Dan also had very blunt comments
5 about aquaculture in the sense that he would
6 love to be able to produce more here in the
7 United States, whether it is wild catch or
8 aquaculture. But the realities of the
9 marketplace mean that he has and the realities
10 of cost and the realities of the regulatory
11 environment mean that he has to go to China to
12 get a large amount of his supply.

13 I think you have all seen that
14 aquaculture is now 50 percent of the world's
15 seafood. It is 50 percent of our seafood
16 supply, 85 percent of which is imported.

17 As you go to these meetings, you
18 quickly realize that the U.S. in terms of
19 production, whether it's wild or farm, is an
20 insignificant player. We're a huge player in
21 terms of consumption. Now, our consumption
22 decisions have a huge implication for marine

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1 policy around the world.

2 So a quick update, sort of what I
3 am going to talk about in a couple of minutes.

4 Four years ago, MAFAC, you, asked us to
5 develop a plan for the agency for aquaculture.

6 It gave us a charge to go around the country
7 for a couple of years and ask people, well,
8 what kind of an aquaculture program would you
9 like us to have?

10 Aquaculture is really two things.
11 On the commercial side, marine aquaculture in
12 the U.S. is largely shellfish farming with
13 some finfish in coastal waters, particularly
14 the resurgence, reestablishment of salmon
15 farming in Maine.

16 Aquaculture is also a tool used for
17 marine stock enhancement or replenishment.
18 Think of all the salmon or a large percentage
19 of the salmon on the West Coast.

20 Oyster restoration work,
21 rehabilitation of corals in the Keys, all of
22 that is aquaculture. All of those different

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1 components of aquaculture figure into what we
2 as an agency are charged with doing in
3 aquaculture.

4 So in that ten-year plan, we
5 outlined sort of what the agency needs to be
6 doing and how to organize ourselves in terms
7 of addressing regulation and policy, science,
8 research, outreach, and international
9 coordination. So those are sort of the four
10 parts to the program.

11 MAFAC also made a number of
12 recommendations to the administration to raise
13 the profile of marine aquaculture in the
14 agency, to add a budget line for aquaculture
15 at NOAA Fisheries, to create an office of
16 aquaculture at NOAA, to work on marine
17 aquaculture legislation, and to increase
18 funding and staffing.

19 We have been chipping away at those
20 recommendations in terms of making them a
21 reality. We certainly have raised the profile
22 of aquaculture.

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1 There is a budget line at NOAA
2 Fisheries now that says, "Aquaculture." There
3 have been very modest increases in funding
4 that have gone largely to the science centers.

5 And there are a couple of increases planned
6 depending upon what Congress does in the next
7 few weeks for the science centers.

8 We haven't made that quantum leap
9 or order of magnitude leap that I think that
10 you have recommended. So, in addition to
11 being in a transition sort of globally in
12 terms of seafood, we have a new
13 administration. New administrations like to
14 reassess to make sure the policies and plans
15 fit the priorities of the new administration.

16 And Dr. Lubchenco and Secretary
17 Locke have taken a great interest in
18 aquaculture. They are shining the spotlight
19 on aquaculture in the agency. And that is a
20 great thing.

21 It also means a lot of work for our
22 small staff, several of whom are here with me

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1 today. I wanted to recognize Susan Bunsick,
2 who is our lead policy analyst; and Kate
3 Naughten and Christopher Botnick, who work on
4 outreach with the program.

5 So we have a ten-year plan, which
6 was completed in 2007, but the policy that
7 we're operating under, the NOAA policy, goes
8 back to 1998. It's a Clinton-era vintage
9 policy.

10 So it was time to sort of reassess,
11 does that policy still fit with what we need
12 to do today? The world has changed in over
13 ten years.

14 So this policy will look at the
15 broad issues of marine aquaculture, where
16 we're headed, what the priorities should be.
17 It will also address this question of, what
18 kinds of principles or guidelines should we as
19 a federal agency apply to aquaculture in
20 federal waters.

21 As I said, marine aquaculture is
22 largely coastal-based at the moment, but many

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1 of us realize that technology has been
2 developed to produce product further offshore
3 or to come on land in what are called closed
4 recirculating systems. So those are sort of
5 two new frontiers that we have been asked to
6 work on.

7 We are just in the early phases of
8 drafting a policy, sort of with the broader
9 NOAA aquaculture team of headquarters staff,
10 regional staff, science center staff, staff at
11 Sea Grants, and the National Ocean Service.

12 The policy will likely have three
13 parts to it. The policy part sort of outlines
14 the broad objectives of how do we meet these
15 various responsibilities of an agency.

16 And we're charged with enabling
17 aquaculture under the Aquaculture Act. We
18 also have a variety of environmental
19 stewardship missions under Magnuson-Stevens,
20 Endangered Species, Marine Mammals, Marine
21 Sanctuaries, Coastal Zone Management Act. How
22 do those play out? And how do we put those

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1 together in terms of a policy?

2 With the policy, then, what do we
3 want to do in the near term in terms of
4 priorities, sort of revisiting the ten-year
5 plan to make sure we're still on track? And
6 then there will be a separate document or
7 appendix addressing this question of
8 guidelines for aquaculture in federal waters.

9 We haven't set a time line in terms
10 of when public comment or input would be
11 provided. My guess is that the policy will be
12 discussed at the NOAA level in the next couple
13 of months.

14 Early next year we will have
15 opportunity for public comments, perhaps
16 public meetings. The administration still
17 needs to decide how that will play out.

18 Jim Balsiger has committed us to
19 having a policy done six months from
20 September. So that is roughly March. So that
21 is sort of the time line.

22 One of the developments that sort

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1 of drove the need for reassessing aquaculture
2 is the Gulf of Mexico fishery management plan
3 last council last January voted to approve a
4 fishery management plan for aquaculture in
5 federal waters of the Gulf of Mexico.

6 The process, then, is council
7 action comes to NOAA and the Department of
8 Commerce for review. The Department decided
9 to let that plan go into effect without
10 approving or disapproving it, which is what
11 happens under Magnuson.

12 The administration decided to
13 develop the policy, including guidelines for
14 aquaculture in federal waters, to then go back
15 and look at the Gulf plan to see if it fit
16 with that policy and then to develop
17 implementing regulations.

18 As I said, aquaculture in federal
19 waters or offshore aquaculture, there isn't
20 any aquaculture in federal waters. There are
21 a few people around the country working on
22 offshore technologies, both mussel farming in

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1 New England on long lines, sort of in deep
2 water. Rhode Island, Massachusetts, New
3 Hampshire have projects going in as well as a
4 number of people working on finfish in Hawaii
5 in sort of open ocean situations.

6 So I should say I guess the other
7 thing to say is that, even though the Gulf
8 approved the plan, NOAA would prefer a
9 national approach to aquaculture in federal
10 waters, rather than a council-by-council or
11 region-by-region approach. So how we work
12 that out remains to be seen.

13 In addition, there is also
14 congressional activity. Many of you know that
15 during the last administration, there were a
16 couple of marine aquaculture bills proposed by
17 the administration. There were also bills
18 drafted by Committee staff. And there are two
19 versions floating around, Committee staff
20 drafts: one in the House, the House Resources
21 Committee, which is focused on offshore
22 aquaculture or aquaculture in federal waters;

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1 and one developed by staff at the Senate
2 Commerce Committee, which is a broad marine
3 aquaculture bill. It still has a section on
4 aquaculture in federal waters, but it also
5 would establish a research program for all of
6 marine aquaculture and set up an institutional
7 structure in NOAA for all of marine
8 aquaculture.

9 I think you have heard a lot about
10 the ocean policy task force. We are trying to
11 make all of this consistent with that and to
12 have it fit in within that task force.

13 So, in the meantime, we're
14 continuing to do our work. Let me just start
15 with policy. We have a number of
16 responsibilities under existing laws and
17 regulations.

18 The existing aquaculture industry,
19 again, shellfish farming, salmon, is very
20 interested in what does the agency do in terms
21 of individual permit decisions, how about
22 these biological opinions that are being

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1 written about shellfish farming, what are we
2 doing to work with states and local
3 governments on making room for shellfish
4 farming and aquaculture. These are important
5 components of what the program is trying to
6 do.

7 One of our initiatives for this
8 year is to look at shellfish farming in terms
9 of the environmental effects of shellfish
10 farming and how that translates into
11 regulatory actions at the federal, state, and
12 local level and to put together some guidance,
13 both for regulators and for permit applicants,
14 on what the different issues are as you go
15 through a shellfish permitting process, sort
16 of the nitty-gritty of our work as agencies.

17 We are also working with the U.S.
18 Department of Agriculture on identifying
19 research priorities for alternative feeds in
20 aquaculture.

21 The supply of fish meal and fish
22 oil in the world has been pretty constant for

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1 20 years, but the amount of aquaculture being
2 produced worldwide has increased dramatically.

3 Because aquaculture is willing to pay more,
4 more of that fish meal and fish oil has gone
5 to aquaculture and less to chickens, pork, and
6 pet food.

7 There are also concerns about the
8 use of forage fish for a whole variety of
9 reasons in terms of the ecosystem services
10 that forage fish provide.

11 So the federal agencies over the
12 past year and a half launched an initiative
13 with scientists, with stakeholder input to
14 develop a road map for alternative feeds
15 research for the U.S. federal government. And
16 that paper will come out sometime in the next
17 few months for public comment.

18 So that is a quick whirlwind, quick
19 update. I think we have some time for
20 questions before Monica Medina comes and then
21 maybe some time for questions after her talk.

22 Yes?

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1 PARTICIPANT: You noted that there
2 is no aquaculture in federal waters. And then
3 you followed on by saying that there are
4 regional plans in the Gulf and others I'm
5 assuming that are in the works but that you
6 would prefer or NOAA would prefer that it be a
7 national policy.

8 MR. RUBINO: Well, I think that
9 there are a variety of ways of regulating
10 aquaculture in federal waters if we get to
11 that point. We have existing laws and
12 regulations that are in place in terms of
13 going to get a Corps of Engineers permit for
14 your structure. If you're growing fish, you
15 would need a permit from EPA for discharge if
16 you're big enough.

17 The challenge has been that if you
18 want to grow a federally managed species, you
19 also need approval from NOAA Fisheries. And
20 because it comes under fisheries laws, NOAA
21 has defined aquaculture as fishing under
22 Magnuson. So you would have to come under the

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1 same size, year, season limitations as
2 fishing.

3 So resolving those issues could be
4 done under Magnuson. It would have to be a
5 council-by-council approach. You might get
6 regional variations in terms of what is
7 allowed, which could create conflict or
8 problems between regions or we have had a
9 variety of national commissions that have
10 recommended that there should be a national
11 approach to this so that there is some
12 consistency between regions and across
13 regions.

14 I think a national approach could
15 still allow for regional variation, regional
16 creativity. But I think that is the basis of
17 why a national approach.

18 Does that answer your question?
19 Who is next, Steve?

20 MR. BILLY: Go ahead. George?

21 MR. NARDI: Just a quick follow-up
22 on what you just said. And I just want to

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1 reiterate the fact that in some of that
2 legislation, where it talks about
3 Magnuson-Stevens Act defining aquaculture as
4 fisheries is very problematic for a number of
5 us in the industry because the fisheries with
6 the varying management schemes, including
7 closures and quota-based and size limits,
8 would really stifle the development of an
9 aquaculture industry.

10 There are certain species unless
11 that has changed. And it should be changed on
12 a national basis and not variation between
13 regions or councils.

14 I just want to make sure that the
15 Committee understands that and that some of
16 that language certainly needs to be changed.

17 MR. RUBINO: And that has been the
18 thrust of these draft approaches for national
19 legislation, to address this key question of
20 how to regulate aquaculture under aquaculture
21 sort of approaches, as opposed to regulating
22 the fishing, which doesn't necessarily fit.

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1 MR. BILLY: Okay. Steve?

2 MR. JONER: Is there a national
3 policy or is there likely to be one for
4 aquaculture in sanctuaries or is that done on
5 a regional or a sanctuary basis?

6 MR. RUBINO: Well, maybe there are
7 same sanctuary experts here, but, as I
8 understand it, sanctuaries are sort of like
9 national forests. There are multiple uses
10 that are allowed within a sanctuary.

11 It is up to each sanctuary and
12 their citizens advisory committee to work
13 through the process to decide what was going
14 to be allowed within that particular
15 sanctuary.

16 MR. JONER: So is there any
17 aquaculture in a sanctuary now?

18 MR. BILLY: Yes.

19 MR. RUBINO: Yes. There is
20 aquaculture in a couple of sanctuaries. In
21 Hawaii, there is one operation in the Humpback
22 Whale Sanctuary off of Big Island. There is

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1 also abalone and kelp farming in the Monterey
2 Bay sanctuary.

3 MR. JONER: There is no national
4 policy in --

5 MR. RUBINO: There is also use of
6 hatchery-produced corals for restoration in
7 the Florida Keys Sanctuary. So those are the
8 examples that I know of.

9 MR. JONER: Dave, did you have your
10 hand up, or Heather?

11 MS. McCARTY: Thank you. Do you
12 have any interaction with the folks who are
13 putting together the organization to keep the
14 different pieces of this?

15 MR. RUBINO: At an informal level,
16 yes.

17 MS. McCARTY: Are you --

18 MR. RUBINO: At a formal level,
19 what we are trying to do is to finish this
20 policy, which would provide guidance for the
21 administration in terms of how it would work
22 with Congress on particular language.

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1 DR. CHATWIN: Thank you. Excellent
2 presentation.

3 To what extent does the national
4 policy that is being developed address
5 standards for importing aquaculture products?

6 Eighty-five percent you mentioned of the
7 aquaculture products I assume here are
8 imported.

9 I just wondered if there was
10 anything established for aquaculture to be
11 developed here. Are there any policies being
12 developed for what standard these products
13 should meet?

14 MR. RUBINO: That would be part of
15 the consideration. We have a variety of
16 standards for imported product that deal
17 largely with product quality. And the FDA
18 inspects that in terms of quality. NOAA's and
19 NOAA Fisheries Eco Inspection Service is also
20 involved working with FDA inspecting product
21 that comes into the country.

22 At the moment we don't require

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1 other kinds of environmental or social or
2 other kinds of criteria used on the imports,
3 but that is something that could be considered
4 in the future. You wind up having trade
5 issues perhaps with those kinds of
6 requirements.

7 So I think what we have been trying
8 to do is to try to produce aquaculture here in
9 the United States to sustain those we can. I
10 think if you go around the country and look at
11 aquaculture here, it's kind of a long way, 20
12 or 30 years, in terms of what to do or what
13 not to do.

14 I think, arguably, we are world
15 leaders in what we might call aquaculture
16 sustainability. There is always room for
17 improvement. But driven by market pressures
18 in terms of costs, driven by informed
19 regulations, driven by consumers who want
20 sustainable products, driven by science and
21 innovation, the industry has come a long way.

22 Now, can we sort of use that as a

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1 model for what we would like the rest of the
2 world to do in terms of what is imported here?

3 Yes. We are trying to do that I think
4 through scientific exchange, through
5 international treaties, through U.N.
6 organizations.

7 It's not as blunt an instrument as
8 saying, "No. You can't import something if
9 you don't meet a particular requirement." But
10 it is certainly something that is on the table
11 that is being discussed. I don't know how
12 that is going to play out.

13 MR. BILLY: Randy?

14 MR. CATES: A couple of comments.
15 One thing, as I looked at your operating plan,
16 I have a suggestion. What needs, vitally
17 needs, to be included in that is education and
18 outreach within NOAA.

19 In Hawaii and to my opinion, the
20 biggest constraint aquaculture has right now
21 is NOAA. If we are going to expand, at least
22 the biggest constraint we have is NOAA

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1 officials in Hawaii. And they don't apply the
2 standards equally between commercial fishing
3 and aquaculture operation.

4 There needs to be one voice. And
5 it's really an education process that they
6 just don't, these new employees don't,
7 understand aquaculture. They don't understand
8 the dynamics of it.

9 So that's one thing that is really,
10 really needed. In Hawaii, it's not permits.
11 It's not the political will of our community.

12 It's when you get to the CDUA process and
13 NOAA gets involved, boom, you hit a door
14 pretty solid.

15 The other issue that is brought up
16 is sanctuaries. We do have one operation in a
17 sanctuary, but the sanctuary and aquaculture
18 is a huge, huge issue. That needs to be
19 worked on.

20 They have pretty much said no
21 aquaculture within sanctuary waters. The
22 problem is in our area, the appropriate areas

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1 to do aquaculture, about 80 percent of it is
2 in sanctuary waters. So we're constrained by
3 growth until we work something out with the
4 sanctuary.

5 MR. RUBINO: Well, I just wanted to
6 comment on your first point in that one of the
7 things we have been trying to do within
8 aquaculture within NOAA is to what you might
9 call mainstream aquaculture within the agency.

10 A lot of it has to do with people having
11 their say with training and education.

12 Again, we are constrained by budget
13 at the moment, but we have added regional
14 coordinators in the Northeast, the Southeast,
15 and the Southwest. So they effectively have
16 my job at the regional level. Instead of part
17 traffic cop, you know, dealing with the
18 regulations, part outreach for stakeholders,
19 part sort of linking science to regulatory
20 decisions.

21 I think once we have those people
22 in all of the regions, that will help quite a

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1 bit.

2 MR. BILLY: Paul?

3 MR. CLAMPITT: In your planning, in
4 discussions with this policy, has there been
5 any discussion of concern on how aquaculture
6 species might continue with the current
7 commercial license?

8 In other words, if you're going --
9 you know, for instance, wild salmon stocks in
10 Alaska, aquaculture of salmon has a bit of
11 competitive edge.

12 MR. RUBINO: The competition
13 question is one that we have looked at as a
14 program quite a bit. Online you can go -- we
15 convened a group of comments of business
16 experts to look at this question of the
17 economics of offshore aquaculture. Offshore
18 was really just a proxy to look at aquaculture
19 in general, sort of the economic effects of
20 that.

21 And those comments included people
22 like Leonard WP from Alaska, who studied this

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1 quite a bit, looked at those implications of
2 -- you know, it's a bit of a conundrum because
3 we live in a global marketplace.

4 Most of the competition is coming
5 from imports. Almost anything we do in terms
6 of domestic production of aquaculture over the
7 next decade or so is really not going to have
8 much an effect on the market.

9 That said, there may be some local
10 issues where you could have competition. Any
11 increase in the price is competition for
12 somebody.

13 MR. CLAMPITT: Well, I am also
14 referring to actual biological issues. In
15 other words, for instance, if you're doing
16 salmon and there is a sea lions problem, there
17 is also the chance of genetic weakening of
18 stocks and at least for the --

19 MR. RUBINO: It's a very good
20 point. I may be having to put the slide back
21 up again, but one of the things we're doing as
22 a program, as an agency is to make sure we

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1 have a suite of some scientific and regulatory
2 capabilities in place to be able to take our
3 jobs as stewards of the marine environment
4 seriously as to aquaculture.

5 So to me that means the question of
6 genetics in this case. This applies not just
7 to net-pen farming. It applies to marine
8 stock enhancement.

9 In Alaska, you have done a lot of
10 work with hatcheries to make sure that the
11 hatchery stock in terms of foodstock
12 management releases and so on will be able to
13 protect the mating wildlife.

14 The same issues apply to
15 aquaculture. And it is going to vary from
16 species to species. So we actually have a
17 team of scientists at the Northwest Science
18 Center right now looking at this question,
19 drafting a white paper.

20 And also the next step, then, is to
21 take models from stock enhancement within
22 larger salmon and adapt those to marine

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1 species. So if you are going to grow
2 different kinds of marine species we're
3 talking about, what are the implications in
4 terms of wild stocks?

5 And what are we going to require in
6 terms of foodstock, national policy in terms
7 of containment, in terms of selection
8 procedures? Do you stay as close to the wild
9 stock as possible or do you domesticate; in
10 other words, go for filet or fast growth?

11 We want to make sure it is marine
12 spatial planning, that we are citing
13 facilities properly so that if you do have
14 waste, waste equals food in the environment
15 without a problem.

16 Currently there is a national
17 aquaculture animal health policy that has been
18 developed by the federal agencies. A draft of
19 that is out for public comment right now. It
20 was several years in the making. So that
21 looks at all of these questions of diseases
22 and moving the species from one place to

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1 another.

2 So those are just examples of why
3 we are trying to make sure we have the tools
4 and the science as an agency to address the
5 question.

6 MR. BILLY: Bill?

7 MR. DEWEY: Michael, you have been
8 working over the last couple of years to try
9 to get aquaculture coordinators in each of the
10 regions. And you get to do that in the
11 Northwest.

12 I am concerned in the Pacific
13 Northwest, in Washington State, in particular,
14 aquaculture in state waters is generally
15 regulated by local governments.

16 So our counties under our State
17 Shoreline Management Act, shoreline master
18 programs, all of which have aquaculture
19 chapters, dictate how they are going to
20 regulate aquaculture. All of those counties
21 are going through updates of their shoreline
22 master programs right now. And it is an

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1 extremely crucial time in Washington State for
2 the future of aquaculture. And we need a
3 national advocate there.

4 So either in the interim while you
5 don't have a person there, is there any
6 capacity from Washington, D.C. to help us or
7 get someone assigned on a temporary basis?

8 Within the next three days,
9 Jefferson County is completing their
10 recommendations to the state for their update.

11 And it is going to include a prohibition for
12 salmon net-pen culture, which is not founded
13 on science or anything else. It's just the
14 current political climate in Jefferson County.

15 I just think doors are closing with
16 these updates. And I think NOAA needs to have
17 a presence there to indicate some of the
18 national priorities as it relates to
19 aquaculture.

20 MR. RUBINO: Well, as you know, the
21 Northwest coordinator would be the next
22 position from the budget committee. I think,

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1 as you also know, in this discussion of marine
2 spatial planning, we keep trying to put the
3 word "coastal" into it as well so that there
4 is coastal marine/coastal and ocean spatial
5 planning.

6 So your charge is well-understood.

7 And we try to meet that as best we can, but
8 we are very limited by staff in terms of
9 budget. As you may know, the Congress has two
10 different budget figures in front of it at the
11 moment.

12 MR. BILLY: Martin?

13 MR. MARTIN FISHER: Thank you, Mr.
14 Chairman. Thanks for the presentation,
15 Michael.

16 I watched the Gulf Council turn
17 itself inside out over the aquaculture
18 amendment. And I am curious about a couple of
19 things. Why did the Secretary of Commerce
20 basically default on a response by not
21 ratifying the amendment?

22 And, two, if no one knew that they

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1 wanted to go towards a national policy, why
2 didn't they advise the council that that was
3 the direction they were going to save the
4 council the effort that they put forward?

5 MR. RUBINO: I think that during
6 the last administration, the last
7 administration made a number of efforts to
8 draft national legislation, to take a national
9 approach. Congress had a lot on its plate.
10 Those bills didn't move.

11 And so I think towards the end or
12 the beginning, two years ago, when it became
13 clear that national legislation wasn't going
14 to move, I think the Gulf -- it was really the
15 Gulf that decided that it wanted to do this.

16 So now we're -- I mean, is Adam
17 still here? Oh, he took off. So I tried to
18 explain the administration's decision on not
19 approving/not disapproving, which allows it to
20 go into effect.

21 One of the concerns, I think, is
22 that had NOAA disapproved it on the basis that

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1 they prefer a national approach, that would
2 have left a gap, a vacuum, in terms of
3 regulation of aquaculture in federal waters
4 from a marine management perspective.

5 And so I think that was a concern
6 as well, to sort of retain an ability to have
7 something to say about aquaculture in federal
8 waters while we sort out this question of how
9 we're actually going to do it. Otherwise it
10 would have taken NOAA out of the game. And
11 tomorrow you could have gone to go get your --

12 MS. DANA: I think the remarks are
13 well-taken because a lot of the council has
14 put in so much time and efforts. And if it
15 gets superseded on the national level, I mean,
16 that creates --

17 MR. RUBINO: It does. And our new
18 administration in their announcement was quick
19 to point out the bank accounts work. If you
20 look at the draft plan and the Department's --
21 and it was done for in terms of discussing all
22 of the issues, it really is a state-of-the-art

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1 document about marine aquaculture.

2 The question is both of the
3 benefits and the risks that are posed, how to
4 address them, what the regulatory environment
5 might be. So if we do have national
6 legislation in our charge with developing regs
7 on a national basis, in effect, most of the
8 work has been done.

9 So I don't think that a national
10 approach -- I mean, I may be wrong -- would do
11 that much that is different in terms of the
12 key regulatory questions but might do
13 different things in terms of process or
14 decision-making or who gets to decide or in
15 terms of the key environmental requirements.
16 The Gulf printout has really gone over
17 everything with a fine-toothed comb.

18 MR. BILLY: Okay. Okay. Well,
19 thank you very much.

20 MR. RUBINO: Thank you.

21 MR. BILLY: It's clear that the
22 work that you have been doing over the last

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1 several years is paying real dividends in
2 terms of both the program and the assistance
3 and support we can make available to those
4 interested in aquaculture as well as to handle
5 the changes of direction and other things that
6 you encounter here in Washington. So we
7 appreciate your efforts and the efforts of
8 your staff.

9 MR. RUBINO: I do hope that MAFAC
10 has an opportunity to weigh in on this new
11 policy when it gets drafted. As I said, as I
12 started to open out, your advice and direction
13 have been critical to this program over the
14 past several years.

15 With the absence of national
16 legislation, something away -- no one
17 remembers the Aquaculture Act of 1980, even
18 though it was reauthorized in the recent farm
19 bill. So in the absence of legislation, a
20 policy that has the endorsement of our
21 administrator and our Secretary of Commerce
22 would be critical in terms of driving

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1 development of this program in the budget
2 process.

3 So we need to make sure that we
4 have a policy that has broad support.

5 MS. McCARTY: Can I ask a real
6 quick question? Why was it better to comment
7 on the policy itself or would it be also
8 helpful to comment now with any
9 recommendations we have about the policies
10 being developed?

11 MR. RUBINO: I would say both.

12 MS. McCARTY: Both?

13 MR. BILLY: Okay. Thanks. Thank
14 you very much.

15 Jim?

16 VICE CHAIR BALSIGER: Yes. Thanks.

17 So Monica Medina has made the trip
18 from downtown through the rain. So we
19 appreciate that. Monica, we talked about you
20 a little bit. So we know who you are.

21 MS. MEDINA: Great.

22 VICE CHAIR BALSIGER: We were

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1 looking forward to seeing you. And they are
2 anxious to hear what you have to say. I
3 wonder if we could spend maybe five minutes
4 for the members to introduce themselves to you
5 so you can get a little bit of an idea of the
6 broad background of the group that we have
7 here.

8 MS. MEDINA: That would be great.

9 VICE CHAIR BALSIGER: To that end,
10 we will start with Mr. Tom Billy.

11 MR. BILLY: Hi. I am a retired
12 federal employee, 38 years of service, 23 with
13 NOAA Fisheries.

14 MS. MEDINA: Thank you.

15 MR. BILLY: I am a food safety
16 expert and particularly look out for the
17 interests of consumers and this Committee and
18 its work.

19 MS. McCARTY: I'm Heather McCarty.

20 I am from Juneau, Alaska. I am a fisheries
21 consultant. And I work with CDQ groups in
22 western Alaska as well as the processors and

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1 fishermen and the School of Fisheries and
2 Ocean Science, where I run a small research
3 program that is funded by industry.

4 MS. FELLER: Hi. I'm Erika Feller.
5 And I'm a Project Director of the Nature
6 Conservancy in California. We are principally
7 working with a number of central place
8 communities on trying to --

9 MS. MEDINA: And I think I'm going
10 to probably be meeting with you later today.

11 MS. FELLER: Thank you.

12 MS. MEDINA: But it is nice to see
13 you.

14 MR. ALEXANDER: I'm Terry
15 Alexander. I'm a commercial fisherman from
16 Maine and particularly interested in the catch
17 share debate that's going on right now.

18 MS. MEDINA: Yes.

19 MR. RAFTICAN: Tom Raftican, the
20 Sportfishing Conservancy. I have been
21 involved in recreational fishing for a long,
22 long time and professionally for over a decade

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1 working with things from marine protected
2 areas of California to other ways to build a
3 little ground for recreational fishermen.

4 DR. CHATWIN: I'm Tony Chatwin. I
5 direct the Marine and Coastal Conservation.

6 MR. SCHWAAB: Good morning. Eric
7 Schwaab. I am the Deputy Secretary of the
8 Maryland Department of Natural Resources.

9 MS. DOERR: Patty Doerr, Director
10 of Ocean Resource Policy, American
11 Sportfishing Association.

12 MR. CATES: Randy Cates. I have an
13 open ocean fish farm, former commercial
14 fisherman.

15 MS. FOY: Hi, Monica. I'm Cathy
16 Foy. I'm from Kodiak, Alaska. I'm a marine
17 mammal consultant working primarily with the
18 Aleutians East Borough and Aleut Marine Mammal
19 Commission.

20 MR. CLAMPITT: I'm Paul Clampitt.
21 I'm a commercial fisherman from the Pacific
22 Northwest. I am involved in two IFQ

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1 fisheries: halibut and sablefish.

2 MR. R. FISHER: Randy Fisher,
3 Executive Director of Pacific States Marine
4 Fisheries Commission, a number of states here:
5 Alaska, Washington, Idaho, California,
6 Oregon. I'm located in Portland, Oregon.

7 VICE CHAIR BALSIGER: Ken? Well,
8 Heidi, you may know Heidi. She's one of us.

9 MR. FRANKE: Good morning. My name
10 is Ken Franke, President of the Sportfishing
11 Association of California. And that
12 represents all the commercial passenger
13 vessels of Southern California. And I own a
14 commercial passenger boat and a marine
15 research business.

16 MR. DEWEY: Good morning. I am
17 Bill Dewey. I am a shellfish farmer from
18 Washington State. I have a clam farm on my
19 own up near Bellingham. And then I work for
20 Taylor Shellfish Company that has farms
21 throughout Washington.

22 MR. NARDI: George Nardi with Great

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1 Bay Aquaculture, a hatchery based in
2 Portsmouth, New Hampshire. We produce a
3 number of species, including cod and flounder,
4 and support growers in the country and around
5 the world. And we also have a cod farm off
6 the coast of Maine.

7 MR. MARTIN FISHER: Good morning,
8 Monica. My name is Martin Fisher from
9 Florida. I've been in the commercial fishing
10 business since '79. My family is vertically
11 integrated. We produce, we wholesale, and we
12 retail.

13 I got involved in fisheries
14 management politics and advocacy in 2004,
15 helped co-found a couple of fisheries advocacy
16 group associations.

17 And I sat on the ad hoc, the Gulf
18 of Mexico Management Council's ad hoc, for a
19 grouper IFQ and helped develop that and
20 development of red snapper IFQ as well.

21 MR. O'SHEA: Good morning, Monica.
22 Vince O'Shea, Atlantic States Marine

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1 Fisheries Commission. Nice to see you. Thank
2 you.

3 MR. JONER: Good morning. I'm
4 Steve Joner, Port Angeles, Washington. And I
5 have worked with the Makah Tribe Fisheries
6 Program for almost as long as I have been
7 doing this.

8 I also serve as a representative on
9 the contract of the Intergovernmental Policy
10 Council to the Olympic Coast Sanctuary.

11 MS. DANA: Thanks for joining us,
12 Monica. I am Pam Dana. I have a for-hire
13 charter business out of Destin, Florida. I
14 also served for eight years leading up
15 Florida's economic development. And that's
16 part aquaculture, military training in the
17 Gulf and how that impacts fisheries and
18 drilling and such, all the things that impact
19 the economic industry developing in our state.

20 MR. WALLACE: Hi. I'm Dave
21 Wallace. I work with local fisherman, in
22 particular, the New England and Maryland

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1 fisheries. Both of those are large vessel
2 fisheries. I've worked ten years all the way
3 through that process. Our clients have a
4 varied history and perspective.

5 VICE CHAIR BALSIGER: So that's the
6 group, who have represented a great variety of
7 things.

8 Monica has been in various forms of
9 government in D.C. for a long time. She is
10 one of the very earliest of the political
11 people in NOAA as we started under President
12 Obama. And so we have sent a lot of issues
13 her way. And, with that, please --

14 MS. MEDINA: Go ahead. Well, good
15 morning. I am Monica Medina. I should tell
16 you a little bit about myself since you have
17 been so kind as to tell me about what you all
18 do.

19 I am a lawyer by training and have
20 worked in various parts of the government,
21 lots of different agencies, actually, over my
22 now almost 25 year law practice and also in

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1 the private sector.

2 I started out in the military. I
3 worked in the Pentagon. Then I worked in
4 private practice for a little bit. Then I
5 came back into the government, worked for the
6 Senate Environment and Public Works Committee
7 for a few years, then the Justice Department.

8 Then at the end or in the second
9 term of the Clinton administration, I served
10 as the General Counsel of NOAA and really just
11 loved the agency, loved the work, loved all
12 these issues, and then spent several years in
13 private practice and working for a large
14 corporation and decided I really missed
15 environmental work. So I went to an NGO for a
16 couple of years and then was sitting at my
17 desk almost a year ago thinking, "Boy, isn't
18 it interesting, great that President Obama was
19 elected."

20 And I got a call. People with the
21 campaign or with the transition asked me to
22 come back into NOAA because they were looking

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1 for more veterans from NOAA who could help
2 assess the agency, figure out what needed to
3 be done and what would be a good agenda for a
4 new administration. So I did that for a few
5 weeks.

6 And then I was asked to help steer
7 our nominee for the administrator of NOAA
8 through the confirmation process. And I did
9 that. And then she asked me to come and join
10 her team.

11 So here I am back from my second
12 tour of duty in NOAA and find things to be
13 equally fascinating, interesting, challenging,
14 and particularly with respect to fisheries.

15 I can say that when I started
16 taking a look at kind of the state of NOAA a
17 year ago fisheries obviously were the top of
18 the list of issues that this new
19 administration would have to deal with.

20 The Magnuson Act requirements are
21 sort of hard. It's a big rock. We are up
22 against a big rock that we can't move. We

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1 have to meet the requirements. So it is clear
2 from the outset that that would be a very
3 important and difficult undertaking for a new
4 administration.

5 It was interesting taking a step
6 back that to me there had been some progress,
7 actually, in the time between when I was at
8 NOAA before and this new, the second tour, as
9 I said.

10 The statute had gotten a lot
11 stronger. And it seemed that to me looking at
12 the sort of the lay of the water, if you will,
13 that there was an awful lot more interest in
14 figuring out how to find long-term solutions.

15 Dr. Lubchenco, who I should start
16 by saying sends her regards and wishes that
17 she could be here with you today, would love
18 to talk to all of you. She is incredibly
19 interested in getting out and hearing from
20 people who work in various aspects of the
21 fishing industry.

22 She travels the country an awful

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1 lot working on the ocean policy task force and
2 prior to that in her work with various
3 commissions, like the Joint Ocean Commission
4 initiative.

5 She loves to talk to people who are
6 working on the water, who are working in this
7 industry. And I know that at some point she
8 will definitely come and speak with you. So I
9 want to make sure that you have her regards.
10 She really wishes she could be here.

11 Anyway, so when I started, she had
12 a very definite idea about how she felt we
13 ought to go about changing the dynamic with
14 respect to fisheries management. And she had
15 been working on catch shares as a concept from
16 the outside for a while and had studied it
17 herself and decided that she thought we
18 shouldn't mandate catch shares but that we
19 ought to try to do something a little bit
20 different.

21 There was a certain amount of
22 trepidation but also I think a sense that if

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1 we didn't do something really different and
2 new and radical to try and improve fisheries
3 management, we would just never get there.

4 That is not to say that these are
5 not a panacea. Catch share programs are not
6 the way to go for every fishery. And she
7 recognizes that, and we recognize that.

8 But we really took a step back and
9 said, "How can we go at this from a different
10 angle and try and get more support, more money
11 regulated in a way that makes sense for
12 fishermen and in a way that will we think
13 ultimately really help the fishing communities
14 that are now sort of struggling because of
15 limited resources?"

16 So our effort on catch shares is
17 really sort of fundamental to the way we
18 approach all of this, which is got to set good
19 catch limits. We need better data. And we
20 need people to go along and actually feel it
21 is in their interest to comply with the
22 regulations.

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1 So we are taking a different tack,
2 but I look forward to and I want to thank you
3 all. I have heard from Mark that you are
4 going to have a meeting once we have the
5 policy out, a specific meeting just to talk
6 about the policy. And we really, really
7 appreciate that.

8 I know how busy you all are. I
9 know how it is not easy to take the time away
10 from your businesses and your personal lives
11 to come and help us and give us the kind of
12 advice that we really will need in order to
13 make this policy the best possible vehicle for
14 bringing about that change.

15 So thank you in advance. And I
16 look forward to actually coming back and
17 talking with you further. And I wish, boy, I
18 wish -- Mark will laugh, the pain we have been
19 through trying to get our policies released.

20 I honestly thought we would have
21 had it weeks ago. The problem has been
22 scheduling and the Secretary of Commerce, who

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1 needed to sign off on it because it is a
2 policy that impacts fishing communities.

3 It is pretty fundamental to the way
4 we want to operate. He has been traveling
5 within China again now. I mean, he has been
6 very difficult to get time with.

7 We needed to get clearance at the
8 White House, at OMB. And then we need to plan
9 for a certain number of briefings for
10 politicians on Capitol Hill. And now, given
11 the timing, I'm not even sure exactly when it
12 will come out.

13 I thought we had a date yesterday.

14 And now I am hearing that maybe that date
15 isn't very good. So stay tuned. It will be
16 soon. It should have been two weeks ago. But
17 we're still struggling because Dr. Lubchenco
18 really wants to actually be able to announce
19 this policy herself and be on some calls with
20 members of Congress and do some outreach
21 quickly after the policy is released.

22 And so between her calendar and the

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1 Secretary's calendar and all of the various
2 layers of the government that we needed to get
3 through in order to finish the draft, we have
4 been delayed far beyond what I would have ever
5 expected.

6 So I appreciate your patience. I
7 appreciate even more the fact that you are
8 willing to come back and talk to us about it
9 once we have it pretty set.

10 I know Mark has probably walked you
11 through an awful lot of it, sort of, you know,
12 indirectly. Without sharing it with you, I'm
13 sure he has been pretty good at describing to
14 you what it will look like.

15 It is very simple. And, as I said
16 before, there is nothing mandatory about it.
17 We are not forcing councils to adopt catch
18 shares. We are not mandating any type of
19 catch share program or a solution or a design
20 feature.

21 We really do leave it to the
22 councils to figure out what is best for their

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1 community, their fishery. We are mindful of
2 the impacts that this will have on sectors.
3 We have been in the fishing industry. And we
4 want to be very careful about that. And we
5 are mindful of the concerns that this might
6 impact communities. And we are very mindful
7 of that.

8 So we go into this I think with our
9 eyes wide open, but with a desire to get more
10 feedback from the folks who will be impacted
11 by it if councils start to use these programs
12 more frequently. And so, as I said, we look
13 forward to your feedback.

14 I know that NOAA in the past has
15 had a desire to reach out to the recreational
16 fishery community, but I think under this new
17 administration, there is an even greater
18 interest in that. And I note how many of you
19 around the table are involved in recreational
20 fishing.

21 Dr. Lubchenco announced that she
22 would have a special adviser to help her with

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1 recreational fisheries. We have gotten the
2 message loud and clear that you are a part of
3 the industry, that it is important, and that
4 you felt like you needed more attention. And
5 we intend to give it to you. Be careful what
6 you wish for.

7 I think there is a great
8 partnership to be built here. And we
9 recognize what an important part of the
10 fishing business, fishing industry you are,
11 and just how important you are to people in
12 their daily lives because so many people enjoy
13 fishing. And we want it to stay that way.

14 So let me tell you about one other
15 big thing that we are working on, which is an
16 internal realignment at the top of NOAA. One
17 of the things that many of the ocean
18 commissions looked at was our structure and
19 whether or not we were really still designed
20 in a way that we could address all of the
21 various issues that NOAA has to tackle.

22 We basically right now have the

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1 same leadership structure that we have had
2 since the inception of the agency in 1970. So
3 it hasn't changed at all. And, yet, we have
4 gone from an agency I think with a budget of
5 around \$500 million to an agency with a budget
6 of next year, knock on wood, close to \$5
7 billion. So we are a much more complex
8 agency. And we are more and more integrated
9 into kind of daily lives of citizens.

10 I think the Weather Service and the
11 things that we do in warnings and forecasts
12 are now so sophisticated, so much a part of
13 kind of what people rely on the government
14 for, that that is a huge undertaking that
15 really has grown over time.

16 We are also looking at climate
17 change as a huge part of our agency portfolio,
18 part of the services that we need to provide,
19 particularly with respect to adaptation to
20 climate change; the coastal communities; and,
21 frankly, all across the country for flooding,
22 river floods and droughts and all kinds of

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1 other impacts that we think folks like you and
2 government, state and local governments, even
3 big business need to take into constitution
4 what will be happening on the climate in order
5 to make good decisions for the future.

6 So we are working hard to be able
7 to provide climate services that are not
8 exactly like weather forecasts but will give
9 people much better information so that they
10 can make better decisions in the future
11 because of climate change.

12 We also have a very interesting
13 exercise going on right now in the White House
14 that I should spend a few minutes talking
15 about, which is the ocean policy task force
16 that Dr. Lubchenco serves on.

17 They have been at work, hard at
18 work, for about six months trying to develop
19 new ocean policy for our federal government to
20 better align all of the various agencies.

21 As you know from working on the
22 water, there are lots of agencies involved in

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1 what happens in the ocean. And we need to
2 have a very good sense of what our direction
3 is so that we can work better together.

4 I can only think about the Gulf as
5 a place where that is so important between
6 having the kind of coastal protection so that
7 when there are storms, you have got the right
8 sorts of habitats and buffers that help to
9 allay the impacts of storms, finding a way to
10 keep the military able to do their training
11 but not hurt wild fisheries or a growing
12 potential industry, tourism.

13 I mean, I think the eye opener to
14 me when I came to this, came back to the
15 agency was there is so much more demand for
16 ocean space resources and the impacts of all
17 of that that all of those things have on the
18 coast are growing so much that there really is
19 a need for better planning.

20 And so the next phase of this ocean
21 policy task force is to do a comprehensive --
22 and that means every sector, not just fishing

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1 and not just oil and gas development but
2 everybody, the military, everybody -- putting
3 on the table what it is they need out of the
4 ocean or where they need to be active in the
5 ocean. And let's put those maps on top of
6 each other and see where there are conflicts
7 and try and plan for them.

8 So that, instead of having one
9 agency go out and move quickly to do oil and
10 gas drilling and then not think about the kind
11 of the ripple effects until you get to an EIS
12 process or a section 7 consultation. And by
13 then you're already far down the road.

14 I think the goal here is to think
15 about things in a more holistic way, try and
16 plan better. And then those sort of
17 regulatory documents that are absolutely
18 essential will have already -- the question,
19 the fundamental questions, that they ask will
20 already have been answered. What will this
21 impact? What are you going to do to mitigate
22 the impact? How have you changed your plan in

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1 order to accommodate other needs.

2 So I think that this is pretty
3 ground-breaking, although, as most of you
4 know, there is a lot of this sort of activity
5 going on in regions now. And what we need to
6 do in the federal government is to build on
7 that and to help and to make sure that we are
8 a part of that as well.

9 I am really excited about all of
10 the work that the task force is doing now in
11 this new area of spatial planning. And I
12 would recommend that you all stay tuned
13 because there will be a lot more coming out on
14 that.

15 And it will impact fisheries but
16 hopefully for the better so that you will have
17 clear -- you know, we won't have more things
18 interfering with fisheries as we build wind
19 farms in the ocean and more oil and gas
20 drilling, which I think is going to happen.

21 So I guess I will stop there. And
22 I would be happy to have a discussion about

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1 anything that is on your mind, answer
2 questions. I am here until just a little
3 before 10:00. So there's plenty of time for
4 that. I mean 11:00. Sorry. Where does the
5 morning go?

6 So I am happy to just -- if you
7 don't have a question but just have comments
8 or thoughts that you would like to share, I am
9 here and able to relay them back to whoever
10 needs to know kind of at our level in both
11 NOAA, the Department of Commerce, and at the
12 White House.

13 So thank you again. And I wish we
14 had better weather for you here. It's
15 miserable. But hopefully you are doing your
16 meeting. I know you have been hard at work
17 already. So thank you very much.

18 VICE CHAIR BALSIGER: Thank you
19 very much. Do you want to just call the
20 people to come up? However you want to do it.

21 MR. BILLY: Bill?

22 MR. DEWEY: Yes. Thanks for your

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1 comments.

2 So as it relates to aquaculture,
3 the Under Secretary has announced that she
4 would like NOAA to review their aquaculture
5 policy and update it.

6 And MAFAC has spent a lot of time
7 on that subject. And at our request, NOAA
8 developed a ten-year plan for marine
9 aquaculture development. And I would ask or
10 hope that NOAA will look to that document as
11 guidance as they are updating that policy.

12 MS. MEDINA: Absolutely. We are
13 mindful of that. We didn't want to -- as the
14 new administration, we have spent attention on
15 almost every issue. Aquaculture is no
16 different than a lot of others, salmon and
17 many other endangered species issues.

18 When you come in new and you
19 haven't been in an agency before, like Dr.
20 Lubchenco or for me not having been at NOAA
21 for almost ten years, it's just a natural
22 human instinct to want to take a look at what

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1 was done before and kind of come at it with
2 some fresh eyes.

3 I think, really, that is what we
4 wanted to do with aquaculture. And it was --
5 we came, and we had this one Gulf, you know,
6 particular proposal, sort of right there in
7 our laps almost immediately.

8 And we didn't want to make policy
9 by just working on one region's proposal. We
10 didn't think that was really the right way to
11 go. So we let it go into effect, which I
12 guess is pretty -- we have never done anything
13 like that before because we didn't want to
14 send a signal that we weren't interested in
15 the development of an aquaculture industry.

16 And we wanted to have a policy. We
17 are mindful of a lot of the interest in
18 aquaculture on the Hill. So we wanted to find
19 a way to not unduly hinder the progress that
20 had been made but give ourselves a chance to
21 really look hard at it with our new fresh
22 perspective and see if there was something we

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1 could add.

2 The plan -- you know, I understand
3 how much work went into that document. And I
4 can't imagine it's going to go up. What we
5 need is a policy that will support a plan so
6 that we can actually implement it. And we
7 have a statement in place.

8 But these policies really are
9 statements that we want to do something, that
10 we want to do it, we want to do it right, and
11 here is how. And then the plan follows from
12 that.

13 So I am hopeful that it will all
14 come together. And we appreciate that you all
15 have been hard at work at it and are grateful
16 for that.

17 MR. BILLY: Yes. Monica, I would
18 like to pick up on that and share with you
19 that this Committee over about the last three
20 years worked very hard developing a vision
21 document for fisheries in the broadest sense.

22 And we call it our 2020 document.

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1 And it is designed to identify the
2 key anticipated developments, both in the U.S.
3 and worldwide, that will impact fisheries
4 again in the broadest sense, recreational,
5 commercial, seafood supply, and management,
6 inclusive of all of the things that NOAA is
7 involved in.

8 We completed that about a year ago
9 and then learned about the new ocean policy
10 task force in the interest of the new
11 administration. So we went back and made some
12 revisions and updates that more specifically
13 addressed our Committee's thinking on catch
14 shares at that point in time and other areas
15 of interest to you and made that available in
16 early, I think late August or early September
17 so that it could be considered by the White
18 House task force.

19 More importantly, I think it would
20 be of interest to the Committee to at the
21 appropriate time be able to sit down with you
22 and Dr. Lubchenco and others in NOAA

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1 leadership to further share with you our
2 thinking and have an interaction that would
3 help this Committee to do the best possible
4 job.

5 MS. MEDINA: We would be delighted
6 to do that. And I don't know that anybody has
7 given me your document. So let me go get it.

8 And I'll have a chance to take a look at it
9 in advance. And then we can have a good
10 conversation. Glad to do that.

11 Have you submitted it to the ocean
12 policy task force for comments?

13 MR. BILLY: Yes, yes.

14 MS. MEDINA: Do you know what site
15 was --

16 MR. BILLY: Yes.

17 MS. MEDINA: And they are very
18 mindful. And I don't know whether you've had
19 a chance to go and talk to the task force yet.

20 MR. BILLY: I did have a chance at
21 one of the meetings to indicate to the CEQ
22 people that what we were doing -- that it was

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1 our intent to share this. And then we
2 followed up and did that.

3 MS. MEDINA: Right. They are very
4 voracious in their appetite for information
5 and for public comment.

6 MR. BILLY: But it will not only be
7 helpful I think in the national policy sense,
8 but it will also, I believe, be helpful to the
9 NOAA leadership in terms of your sorting
10 through your priorities and the directions you
11 want to go with regard to fisheries and all
12 the related entities.

13 MS. MEDINA: We appreciate it and
14 look forward to talking to you further about
15 it.

16 MR. BILLY: Tom?

17 MR. RAFTICAN: Thank you. Monica,
18 thank you.

19 I think in looking around the room
20 at some reactions, we have been behind this
21 very comprehensive approach the new
22 administration is taking, whether

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1 ecosystem-based marine spatial planning.

2 And, actually, we have a document
3 coming out that was sent to you once we will
4 actually fine-tune a little bit and get back
5 to you a little bit later on.

6 MS. MEDINA: That's great.

7 MR. RAFTICAN: And as a
8 recreational fisherman, I am very pleased to
9 see the new position specifically for
10 recreational fishing.

11 My question is it fits in under
12 NOAA, but recreational fishing is a lot
13 broader than just NOAA fisheries. It really
14 is generally many recreational fishermen fish
15 closer to shore. Sanctuaries is a thing that
16 just kind of jumps out.

17 Is there a way of ensuring access
18 there to sanctuaries to build better bonds
19 between fisheries and sanctuaries and
20 recreational fishing?

21 MS. MEDINA: Absolutely. You know,
22 I know what a concern the sanctuaries and

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1 marine protected areas are for your community.

2 We don't have great plans to go expanding,
3 which was something I know was a concern at
4 the beginning of the administration.

5 But we obviously want to work with
6 you. And not all of those places that are
7 protected are completely no take. So I hope
8 we are balancing things well, but if you ever
9 feel that we are not, that is why we want to
10 have this better dialogue and have the
11 position, have a person in that position, who
12 can always be your outlet when you have
13 something that you want to tell us.

14 MR. RAFTICAN: I talked to one of
15 the sanctuaries' people. And that's Channel
16 Islands, which has raised red flags. There's
17 fishing in 80 percent of the sanctuary. And
18 they wanted to make sure that they got that
19 across.

20 And I just wondered how we build a
21 stronger bond with them that helps you win the
22 goals of NOAA sanctuaries but also recognizes

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1 the light foot kind of recreational fishing we
2 work well with.

3 MS. MEDINA: I think we obviously
4 can build that. And it will be about people
5 and relationships. You know, we can write
6 rules, and we can put things on paper, but
7 that really in my mind isn't the way you
8 govern.

9 We have to be in partnerships with
10 people and have relationships and have an
11 ability to communicate because sometimes
12 things are misunderstood in those kind of
13 policy documents.

14 It all gets reduced to paper and
15 newspaper articles. There is a lot of
16 misunderstanding. So in my mind, the best way
17 is directly. And I would welcome that.

18 I know that this person in the
19 position will do the same and spend all of
20 their time just trying to figure out, well,
21 where are those places where people are
22 feeling frustrated as they are not being

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1 heard?

2 We can't always promise that we
3 will do exactly what you want because there
4 are lots of interests, but we can at least
5 know where you stand and you can know that we
6 want to do the best we can to accommodate your
7 interests.

8 So I appreciate that very much and
9 look forward to continued dialogue.

10 MR. BILLY: Randy?

11 MR. CATES: Thank you.

12 The reality of today is that we
13 live in a world in the United States where we
14 are importing 90 percent of our seafood. We
15 also live in a situation where our fisheries
16 the past 15-20 years, all we heard is less,
17 taking away area, taking away opportunities,
18 taking away days at sea. Everything is on a
19 monitor.

20 We also live in a world where we
21 are now having doctors telling our citizens
22 not to eat fish where this Committee has heard

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1 from the FDA, "Well, that is wrong," that we
2 need to increase seafood consumption for our
3 citizens.

4 So I would like to suggest to the
5 administration, to NOAA, and to this Committee
6 we need a set of goals on finding ways of
7 increasing seafood production.

8 We never talk about it. It's
9 possible. And I'm not taking away the
10 importance of proper management, but we have
11 never really set a goal of increasing domestic
12 production.

13 I think if we put that as an
14 agenda, everything else will fall in line
15 below that because along comes with that
16 conservation, proper management. Everything
17 else is to meet that goal.

18 Right now I don't think that is a
19 goal. At least I have never heard it as being
20 a goal of increasing production. And the real
21 need is for the health of our citizens.

22 MS. MEDINA: I appreciate that. I

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1 don't know that we have ever stated it that
2 way, but certainly the catch share policy is
3 intended to make those fisheries, to give
4 those fisheries a chance to come back, which
5 will hopefully increase production,
6 sustainable production, in the long run, you
7 know, that constant constricting and limiting
8 -- still we're not seeing the results that we
9 want to see. And until we can get those
10 turned around so that they're sustainable and
11 can be maximized in terms of their economics,
12 you know, we are in a stopping the bleeding
13 sort of mode, as opposed to a building mode.

14 I think with our aquaculture
15 policy, there is a good reason. You know, the
16 Secretary of Commerce is very interested in
17 this policy. We understand that there are
18 potential jobs that aren't safe if we don't do
19 the right thing on this policy. And we are in
20 the Department of Commerce.

21 That being said, we want to be
22 careful and make sure that we don't make

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1 mistakes that will jeopardize other interests
2 or that we will be paying for in the long run.

3 So I think bear with us. Food
4 security is a part of why we want to do the
5 things that we want to do in NOAA. We are
6 mindful of the fact that we need to feed
7 people and the trade imbalance on seafood is
8 --

9 MR. CATES: To follow up on that,
10 there are other solutions. There are other
11 things to stock enhancement. I have
12 personally found a way going from commercial
13 fisheries, where my ability to produce seafood
14 continually went down, and I made the change.

15 For ten years, our country has been
16 talking about aquaculture. We're missing a
17 huge opportunity. But I am not focused just
18 on aquaculture. I think stock enhancement is
19 a huge under-utilized tool. And we don't
20 really look at that from my perspective. So
21 there are other opportunities.

22 MR. BILLY: Okay. We've got

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1 Heather and Steve, Patty, Dave. Heather?

2 MS. McCARTY: Thank you, Mr.
3 Chairman. Thank you, Monica, for coming here
4 today.

5 Some of the goals of this
6 administration really are very exciting,
7 particularly the support of the coastal
8 communities and for more science-based
9 management.

10 I think one of the keys to catch
11 share and the success of catch share programs
12 is adequate stock assessments and timely stock
13 assessments as fought for the stakeholders
14 when catch share programs are in place. It's
15 one of the things that we have been talking
16 about in this meeting.

17 We have also talked a little bit
18 about budget issues. I guess I just want to
19 make a pitch for NOAA budgetary emphasis and
20 priority on monitoring and surveys, habitat
21 mapping. And I believe we have been told the
22 administration is interested in more

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1 socioeconomic research, which I think is
2 incredibly important, hand in hand with catch
3 share program development.

4 So it seems that over and over
5 again we hear in this Committee from the
6 various stakeholders that there isn't enough
7 money to put towards those kinds of things.

8 I know that we're going to try to
9 do that, but I just want to say that's great.

10 And we'll try and support that as a Committee
11 if we can and we see that that is in the
12 future.

13 MS. MEDINA: So much of what we do
14 is kind of influence funding. I mean, you all
15 are much more directly impactful on what
16 happens in your fishing communities, but the
17 thing that I have to do in my job is to get
18 the money that we need for fisheries. That is
19 sort of first and foremost.

20 You know, when I look at what we
21 can do to make a difference in Washington and
22 have the greatest impact, it's to set up

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1 programs, create policy, and get funding.
2 That is my role in all of this.

3 So I hear you. I spend a lot of my
4 time at OMB trying to figure out how to sell
5 our programs basically and get more funding in
6 what is an extremely challenging funding time.

7 But I think that the thing about
8 fisheries is that there are fishing
9 communities all over the country. This is not
10 something that is regional or isn't seen as
11 part of our food security.

12 I mean, I think there is a desire.
13 It's just a question of how do we stack up in
14 that very competitive environment for federal
15 funding.

16 I only have agreement for your
17 comments about surveys and monitoring and data
18 and knowing how we can't design good catch
19 share programs unless we understand the
20 communities, not just the fisheries.

21 MS. McCARTY: And if we can help
22 with that, that's wonderful.

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1 MR. BILLY: Okay. Steve?

2 MR. JONER: Thank you, Monica.

3 As you probably know, the Makah
4 Tribe is very actively involved in marine
5 fishing and I believe is the largest tribal
6 fishery in the United States.

7 I would like to put a plug in for
8 the National Fisheries Service. We have a
9 very good working relationship with them. It
10 has been in place for over 20 years. And we
11 often hold them up as a model of trust and
12 responsibility to an Indian tribe.

13 A couple of things you have heard
14 today from Tom Raftican about access to
15 sanctuaries. The only thing post-sanctuary is
16 located entirely within the regional cluster,
17 tribes. So we have a lot of interaction.

18 One of the problems we see is that
19 there are more and more closed areas. Those
20 don't directly affect the tribes, but it
21 really puts us on the spot to find alternative
22 means of fishing to fish around those problem

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1 areas.

2 We have been able to find some
3 innovative methods and gears, but we really
4 need national support on that, not just for
5 the Makah Tribe of the Northwest but probably
6 the whole nation.

7 And so a gear development program
8 to find ways to access these species that are
9 found around coral or to find excluders to
10 prevent the catch, for example, we use salmon
11 excluders in our widened trawl fisheries.

12 Those are all developed by industry
13 with some assistance from the federal
14 government. But it's very expensive and
15 difficult to do. And we have also developed
16 very specific methods of fishing, which,
17 again, takes a lot of time and money that a
18 lot of the times the fishermen pay for on
19 their own.

20 And another solution to this point
21 of over-fishing is stock enhancement, which is
22 encouraging. The Northwest Science Center has

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1 a very good program going doing research on
2 that, but there is a lot of resistance, mostly
3 because there is a perception that salmon
4 hatcheries have failed, which I'll tell you is
5 not true.

6 There are some very good hatcheries
7 that run properly from the start. They didn't
8 all need to be reformed. You have some that
9 have been very successful, rebuilt runs that
10 were very completed. And we would really like
11 to see that expand out into the marine stocks
12 to provide some relief there for everybody.

13 MS. MEDINA: Thank you for that.

14 MR. JONER: Thank you.

15 MS. MEDINA: Appreciate it.

16 MR. BILLY: Patty?

17 MS. DOERR: Thank you again,
18 appreciate it.

19 At this point I'll set aside what I
20 wanted to say, just comment to reinforce both
21 of those points. In terms of sanctuaries, we
22 as an industry find ourselves I don't want to

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1 say at odds with sanctuaries, but, as has
2 already been mentioned, I think there is some
3 great opportunity within the outreach and
4 education roles as sanctuaries to really work
5 together, not just with the recreational
6 industry but the entire community as a whole,
7 to educate not only about sanctuaries but
8 about the role of recreational fishing from a
9 societal standpoint and how education will
10 lead to other aspects really goes hand in hand
11 with sanctuaries. So that is one thing.

12 And then in regards to the science,
13 you guys have a ton on your plate that you're
14 doing with catch shares, marine spatial
15 planning, ecosystem-based management, the
16 national ocean policy, all this stuff. And a
17 lot of that, all of it, is very -- the success
18 of it lies in the amount of time that you have
19 for implementation, annual catch limits, and
20 all that stuff.

21 So I just wanted to reinforce what
22 Heather said in terms of the necessary funding

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1 to make that investment to do all of this
2 right and to have it done. We're there if you
3 need us. We want to help you get that money.

4 MS. MEDINA: I would be remiss if I
5 did not make the point because Dr. L makes it
6 in every one of her presentations that science
7 is back at NOAA. She herself is personally
8 committed to increasing the amount of money we
9 have to spend on science,

10 Part of what makes us I think kind
11 of unique in the federal government is sort of
12 our grounding in science, being a science
13 agency that regulates. So we in this
14 administration and in NOAA in general always I
15 think want to have the best science we
16 possibly can.

17 And we are working hard to get more
18 funding just for research and for applied
19 research. And we very much appreciate your
20 comment on that.

21 But I would be in trouble with my
22 boss if I didn't say that science is really

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1 fundamental to everything that we do. We
2 spend a lot on it, but we need more. So we're
3 fighting to get more.

4 MR. BILLY: All right. Dave?

5 MR. WALLACE: Yes. I promise I'll
6 be brief.

7 MR. BILLY: Very good.

8 MR. WALLACE: And this is not a
9 question. It's just a statement. The United
10 States happens to be lucky in that it has the
11 largest ocean territory in the world. It's
12 us. And, yet, we're the third in the world's
13 fishing.

14 You being a lawyer, you're the
15 perfect person to help us. The impediments
16 that are stacked up against the fishing are
17 overwhelming. We don't have the rights to do
18 the things that the rest of the world does.

19 We do not have an offshore
20 aquaculture permit. Half the world's fish are
21 produced in aquaculture. Shame on us.

22 I disagree with you. Ocean spatial

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1 planning is going to be a terrible thing for
2 the fishing industry. At the moment we have
3 access to most of the ocean. By the time it's
4 all over, we're going to have access to a
5 little. And so we are not going to be
6 improved by that process. We are going to be
7 hampered by that process.

8 Thank you.

9 MS. MEDINA: I appreciate your
10 views, and I appreciate your candor. I guess
11 I would just say the demands on ocean
12 resources are going to go up. Whether we plan
13 for it or not, they're going to.

14 When the moratorium on offshore oil
15 and gas drilling is lifted and the price
16 shifts for our country to develop domestic
17 resources of energy is -- I mean, it couldn't
18 be higher.

19 So there are going to be wind farms
20 and the drilling. There are going to be --
21 you know, the military has access to huge
22 swaths of the ocean for their training. We

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1 are mindful of all these things.

2 You will have less space, but we
3 won't have been able to preserve your space.
4 And I can tell you that there are places in
5 this country where commercial fishing is more
6 valuable than some of those other uses. But
7 because those other uses have processes that
8 go on unimpeded unless we plan and work
9 holistically, work in combination, those
10 processes are going to go on. And you're
11 going to be shut out or your industry might be
12 in a place where it could be hugely damaged by
13 some of these other uses because people aren't
14 careful and protection time has been put in
15 place.

16 So I think you're going to come out
17 ahead, but you will be better off 50 years
18 from now if we do this right than you would be
19 otherwise, both because we rebuilt fisheries
20 and because we planned for all these competing
21 uses so that yours are not squeezed out,
22 frankly, and we don't just cave in and import

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1 100 percent or 95 percent of our seafood
2 because those other --

3 MR. WALLACE: A hundred percent is
4 rapidly approaching.

5 MS. MEDINA: I hear you. I hear
6 you. So thank you very much. I really
7 appreciate the time that you have given me to
8 be here with you.

9 And I look forward to meeting you
10 all sort of on one on one in various different
11 ways that we will work together. And I will
12 be back when we have our policy that we can
13 walk you through.

14 So thank you again. And I hope the
15 rest of your meeting goes well.

16 MR. BILLY: Thank you. On behalf
17 of the Committee, we thank you for your time
18 and look forward to working with you.

19 MS. MEDINA: Thank you.

20 MR. MARTIN FISHER: Can we call you
21 individually?

22 MS. MEDINA: Yes.

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1 (Laughter.)

2 MS. MEDINA: My e-mail, although,
3 you know, I'm so bad on the phone. The truth
4 is we don't have very many support staff
5 people. So if somebody walks out the door to
6 go pick up something off a fax machine or to
7 bring a guest in to meet with me, my phones
8 don't get answered. So let me give you my
9 e-mail address.

10 MR. MARTIN FISHER: Excellent.

11 MS. MEDINA: Monica, m-o-n-i-c-a,
12 dot, Medina, m-e-d-i-n-a, @noaa.gov,
13 monica.medina@noaa.gov; or Jim Balsiger can
14 always find me. If you need me, please feel
15 free to write me an e-mail.

16 You can call me, too. I will give
17 you the number, but my phone is answered less
18 reliably. And I still don't know how to even
19 retrieve my voice mails because I switched
20 numbers. So (202) 482-4398.

21 MR. MARTIN FISHER: Thank you.

22 MS. MEDINA: But e-mail is probably

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1 best.

2 MR. MARTIN FISHER: Thank you.

3 MR. BILLY: Let's take a 15-minute
4 break.

5 (Whereupon, the foregoing matter
6 went off the record at 11:03 a.m. and resumed
7 at 11:21 a.m.)

8 MR. BILLY: I think we will get
9 started. We are now going to move into a
10 series of reports out of the various
11 subcommittees and work groups. As you can
12 see, we have scheduled a fair amount of time
13 for each of these.

14 My interest is to give them the
15 proper time so that we can complete the work
16 and if we have recommendations, the Committee
17 understands and accepts them, and so forth.

18 But I would also like to go through
19 this fairly quickly. So I encourage you to
20 keep your comments short. And we will see how
21 it goes.

22 So the first one is a report out of

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1 the Strategic Planning, Budget, and Program
2 Management Subcommittee. So I will call on
3 Heather to take the floor and share with us
4 the results of their efforts. Heather?

5 MS. McCARTY: Thank you, Mr.
6 Chairman. Can we have it on the screen?
7 These are recommendations that I summarized
8 from the discussion that we had yesterday at
9 lunch.

10 I did send it in its first draft to
11 the other members of the subcommittee minus
12 the new guys. Of course, I didn't have the
13 e-mail addresses yet. So I want to emphasize
14 that this is not being taken back through that
15 process of the subcommittee members other than
16 the ones who suggested revisions by e-mail.
17 And I will point out those revisions as we go.

18 MR. HOLLIDAY: Could you send this
19 to the entire Committee right now?

20 MS. McCARTY: Absolutely.

21 MR. HOLLIDAY: Remember, we have a
22 mailing list that goes to everybody on the

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1 Committee at lists.mafac@noaa.gov. And that
2 goes to everybody automatically.

3 MR. DEWEY: The other thing, people
4 are looking for individuals with no addresses,
5 the MAFAC members' page.

6 MR. HOLLIDAY: It has all the new
7 members' e-mail addresses on there.

8 MS. DANA: I assume that everything
9 we e-mail under MAFAC is open to public
10 record.

11 MS. McCARTY: Yes.

12 MR. HOLLIDAY: Lists.mafac@noaa.gov.

13 MR. BILLY: Tony?

14 DR. CHATWIN: Is the Committee
15 expected to take an action on these today,
16 just so I orient myself?

17 MR. BILLY: Yes. Normally we do
18 because not everyone has had a chance to
19 participate. This period is to share with
20 everyone that may not have been actually
21 involved and consider any changes. And then
22 often a motion will be introduced to accept a

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1 report or accept the recommendation to --

2 DR. CHATWIN: I will just say I
3 will do my best to participate. I have not
4 seen it. I don't have a computer here. So I
5 can't see the language. So I probably will
6 abstain on a number of votes, meaning if I can
7 support it, I will, but --

8 MR. BILLY: Fair enough.

9 MS. McCARTY: Can I just speak to
10 that? What we do is we break up into
11 subgroups. People can join whatever
12 subcommittee they want to be on.

13 Even if they're not members of the
14 subcommittee, if they're interested in the
15 subject matter that the subcommittee is going
16 to be talking about, they can come to those
17 meetings anyway and participate. Then the
18 subcommittee sort of summarized their findings
19 and recommendations, bring it back to this
20 full group, and the full group discussed it.

21 So, actually, nobody has seen this
22 except for the few people that were on the

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1 subcommittee that spoke about it at lunch
2 yesterday. So you are not that far behind.

3 They are also paperless. So this
4 is the only way we have.

5 DR. CHATWIN: That's great. It's
6 just that --

7 MR. BILLY: No problem.

8 MS. McCARTY: All right. We took
9 up three issues. One was the catch share
10 policy, additional comments on that. One was
11 budget recommendations, which we haven't done
12 recently, but I understand that this Committee
13 is designed to sort of suggest those kinds of
14 recommendations. So we took it on ourselves.

15 And I believe that perhaps other
16 subcommittees also have recommendations. And
17 we will find that out later, then the
18 long-term planning. Those are the three
19 subjects that we took up.

20 The first one, I will just read it
21 out loud in case people can't see or don't
22 have their computer. MAFAC members wish to

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1 reinforce their deep interest in the national
2 issue of catch shares and their commitment to
3 providing real advice and counsel to NOAA as
4 the agency develops a catch share policy. The
5 Committee provided preliminary guidance on
6 catch shares in its revision vision 2020
7 document. When I talk about the Committee, I
8 am talking about MAFAC, the full Committee.

9 However, as the draft policy is not
10 available for review at this meeting, MAFAC
11 intends to plan a meeting during the comment
12 period specifically to focus on formulating
13 comprehensive recommendations on catch share
14 policy.

15 The Committee intends to discuss
16 the cost and the budgetary implications of
17 implementing catch share programs, including
18 observer coverage and other necessary
19 accountability measures as well as potential
20 support from stakeholders.

21 Then this final sentence brings in
22 a little bit more than we talked about at the

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1 subcommittee level. And I am telling you that
2 up front.

3 It was suggested by one of the
4 subcommittee members that we include this
5 final sentence, "Further, the Committee
6 intends to consider the perspectives and needs
7 of various stakeholder groups, including
8 commercial and recreational fishery
9 participants, fishing communities, and working
10 waterfronts, requirements for monitoring,
11 accountability, and cost, as well as other
12 elements necessary to ensure the conversation
13 of fishery resources."

14 Now, we did touch on the
15 conservation aspect but not much in our
16 discussions. I was convinced that this was
17 something that we needed to include.

18 So do you want to take them one at
19 a time, Mr. Chairman?

20 MR. BILLY: Yes.

21 MS. McCARTY: So that's just what
22 came out of the subcommittee. Now would be

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1 the opportunity for people to add to it,
2 revise it, make a motion that it be a MAFAC
3 recommendation, and so on. So that would be
4 what we would do now.

5 MR. BILLY: Erika?

6 MS. FELLER: Thank you, Tom.

7 I just want to speak to that last
8 part that is in there. I mean, there was a
9 little bit of a discussion, not specifically
10 towards a recommendation of what we do, but
11 there was discussion on the subcommittee about
12 issues of enforcement. I believe the
13 Recreational Fishing Committee also had some
14 interest in the catch share discussion.

15 This sort of came up a little bit.

16 And I thought if we're going to, you know,
17 really focus our next meeting on talking about
18 the catch share, you know, policy, we probably
19 want to get all of these different
20 perspectives and have a place for it on the
21 agenda for all of these different committees
22 and sort of have an attention to sort of

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1 synthesize and think about these different
2 things.

3 The budgetary impacts are crucial,
4 but I think that there are also bound to be
5 sort of other policy implications of these
6 things for these different issues.

7 I don't know that that is an
8 exhaustive list, but it is more intended to be
9 kind of directional.

10 MS. McCARTY: And I might say, Mr.
11 Chairman, that the other subcommittees may
12 have addressed the catch share policy. My
13 recommendation would be perhaps if that is the
14 case to hear all of the recommendations,
15 rather than doing it piecemeal to sort of put
16 all of the catch share policy recommendations
17 in one place, park them, and then at the end
18 of the reports maybe vote on the full package,
19 the same with the budget stuff if people make
20 recommendations from one of the committees so
21 that we don't have a bunch of different
22 recommendations that somebody then has to

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1 synthesize.

2 MR. BILLY: Is that the case? I
3 mean, did other subcommittees address catch
4 share policy?

5 MR. SCHWAAB: I would say that the
6 catch share policy issue was going to be
7 important to the recreational work group, but
8 we didn't speak to substance at this meeting.

9 And, in all likelihood, then we'll be
10 providing a recommendation to the committee
11 later with respect to the pathway forward.

12 In all likelihood, there will be
13 some follow-up discussion with a broader group
14 of recreational stakeholders before we were in
15 a position to make a specific recommendation.

16 MR. BILLY: I don't think this at
17 all conflicts with that.

18 MS. McCARTY: I think that sounds
19 right from what you have told me.

20 MR. BILLY: All right. How about
21 any of the other Committee subcommittees?

22 DR. CHATWIN: Question for

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1 clarification. When it states that the
2 Committee intends to discuss the cost and
3 budget-sharing implications of implemented
4 catch share programs and it goes on to say,
5 "including coverage and other necessary
6 accountability measures," has this Committee
7 had a discussion of those very issues relative
8 to other management approaches, other than
9 catch share?

10 MR. BILLY: In the past.

11 DR. CHATWIN: Yes. I'm trying to
12 think how you could associate those specific
13 cost items to catch share program, as opposed
14 to a management program.

15 I mean, observe the coverage. And
16 there are things that are necessary for
17 fisheries management in general. So what is
18 the intention? How can the Committee discuss
19 those resolutions?

20 MS. McCARTY: In this case, I
21 understand your points. And I think that it
22 has been pointed out in discussion earlier

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1 this week.

2 There are elements of catch share
3 programs that add accountability measures that
4 had not been in the management program before,
5 such as potentially requirements for
6 observers.

7 And I think that is what the
8 subcommittee was getting at when they talked
9 about this kind of issue.

10 MR. BILLY: And, as I recall, --
11 and, Mark, you can help me on this -- our
12 thinking was that the budget people would take
13 a shot at identifying what currently is in the
14 budget that would be related to a catch share
15 initiative or what is being planned and also
16 identify what may be missing or additional
17 resources that might be needed to give the
18 Committee a sense of the budget implications
19 if we move forward in the manner that has been
20 talked about.

21 So that is the sort of my sense of
22 what -- so there may be someone at the meeting

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1 in March that can help us deal with that area,
2 share information.

3 MR. HOLLIDAY: Just a point of
4 information. So during the catch share
5 briefing, there were a number of policy
6 questions that came up that they wanted to
7 continue to have discussion on.

8 But since we didn't have the
9 policy's, the draft policy's position on it,
10 there was a NOAA opportunity to talk about, is
11 it the industry's responsibility to pay for
12 observer costs, which is an appropriated cost
13 that should be borne by the government?

14 What is the role of cost recovery?

15 And what is the ability of fisheries to pay
16 for monitoring enforcement and compliance
17 problems? What is the requirement of the
18 Magnuson Act to recover those, monitoring the
19 data question? And, of course, we've also got
20 the three percent.

21 So there were a number of policy
22 questions that MAFAC wants to weigh in on.

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1 Not knowing what the position is that is in
2 the direct policy, we said we wanted to defer
3 that until we see the policy and have our
4 subsequent meeting.

5 We talked about the difference --
6 again, there's 100 percent observer
7 requirement as inherently associated with
8 catch shares or not. There are a number of
9 different perspectives and viewpoints and
10 experiences around the world about what kinds
11 of enforcement, what kinds of compliance tools
12 that are available, whether it's on-board
13 observers, video technology? What are the
14 most appropriate means to monitor and ensure
15 the success of these programs?

16 Not seeing what the policy says
17 about that, the Committee couldn't state
18 unequivocally what their position was. They
19 wanted to react to what is there.

20 So it's not just dollars and cents.
21 It's more there are policy calls that the
22 Committee wants to make reference to in their

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1 next meeting. I think that was the gist that
2 I got.

3 MS. McCARTY: Well-said, yes.
4 That's right.

5 DR. CHATWIN: Okay. And just to
6 explain where I am coming from, it is just
7 that catch shares is a tool to achieve a
8 purpose. And the purpose would be sustainable
9 marine fisheries. But the needs, the items
10 that are being associated in this sentence
11 with catch shares are needs that are really
12 tied to the purpose, as opposed to the tool.

13 And so, I mean, I say that in
14 saying that that particular tool does have
15 some additional requirements. But here it
16 seems that we just need to talk about it in
17 relation to the catch shares, as opposed to,
18 for example, the observer coverage costs
19 needed for a fishery to successfully meet its
20 annual catch limits. That's where I was --

21 VICE CHAIR BALSIGER: I think, of
22 course, this is a Committee thing, but there

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1 is a catch share policy. And I think that
2 this Committee wants to be sure that everybody
3 knows that catch share policies don't avoid
4 the need for observers.

5 As you point out, traditional
6 management tools do as well, but we don't know
7 -- since we don't know if the policy says it,
8 it may be the view of the administration you
9 can do catch share policies and do away with
10 observers.

11 So that is why they want to look at
12 it and make sure that those kinds of things --

13 MS. FELLER: I have a question kind
14 of related to Tony's point or something we
15 need to think about. I mean, you know, he's
16 right. All of these things up there are
17 applicable, regardless of what type of fishery
18 management tool you are talking about, but
19 we're talking about the catch shares topping
20 the recommendations.

21 So, I mean, to me I look at these.

22 And I think, you know, these are things that

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1 when we have certain materials and
2 presentation and preparation for that next
3 meeting, these are things that we know we want
4 to talk about, we want to be prepared to talk
5 about.

6 So I sort of see these as maybe a
7 request from the Committee to Fisheries
8 Service to provide us with information about
9 these things, you know, not just the policy
10 but also with regard to these important
11 issues: fisheries management. Tell us about
12 how these might be different in a catch share
13 world.

14 MR. BILLY: Okay. Martin?

15 MR. MARTIN FISHER: Yes. Thank
16 you, Mr. Chairman.

17 Tony, I think, particularly from my
18 point of view, without, again, knowing what
19 the policy is, if the policy happens to not in
20 its overview delineate to some extent that
21 there are different kinds of catch share
22 programs, some are multi species, some are

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1 single species, directed species with little
2 bycatch, directed species with a lot of
3 bycatch, without identifying those particular
4 things, enforcement, observer coverage, you
5 know, multi species IFQ is going to destine
6 that catch share program for failure.

7 So I think that is some of the
8 impetus here.

9 MS. McCARTY: So may I continue?

10 MR. BILLY: Yes, ma'am.

11 MS. McCARTY: Well, I guess that is
12 it, isn't it? We're --

13 MR. BILLY: Yes.

14 MS. McCARTY: Are we seeking a
15 motion or --

16 MR. BILLY: Sure.

17 MS. McCARTY: Mr. Chairman, I move
18 that we adopt this as the MAFAC report or
19 recommendation.

20 MR. BILLY: Okay. Second?

21 PARTICIPANT: Second.

22 MR. BILLY: Any further discussion?

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1 Bill?

2 MR. DEWEY: This is specific to the
3 catch share portion of the report?

4 MR. BILLY: Yes. Okay. All those
5 in favor?

6 (Whereupon, there was a chorus of
7 "Ayes.")

8 MR. BILLY: Opposed?

9 (No response.)

10 MS. McCARTY: I would also say that
11 I think we can add to it later on if we want
12 to.

13 MR. BILLY: Yes?

14 MS. McCARTY: The second thing --
15 and there is some overlap here, as you will
16 notice, because we talked about the budget
17 implications or the cost implications in the
18 catch share part, but we also talked about it
19 in this budget area as well because if they
20 are going to stand alone, we have to talk
21 about it alone. So I'll just read it.

22 "Budget. MAFAC members understand

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1 that the greatest opportunity at this time is
2 for making recommendations on priorities in
3 the 2012 NOAA budget currently being
4 developed."

5 As background here, for those who
6 may not have been there, there was a
7 presentation by the budget folks yesterday I
8 think. And we asked pretty specific questions
9 as to where the influence of this group could
10 be most effective at this point.

11 Obviously it's not in 2010. Two
12 thousand eleven is already at OMB. And so
13 2012 is really the budget that is currently
14 being developed. So we sort of focused on
15 that, not to say that individual members
16 couldn't, of course, influence the other
17 budgets, which I am sure they can do.

18 "MAFAC members support in all
19 regions adequate funding for regular survey
20 and monitoring activities to support stock
21 assessments. MAFAC members also support
22 adequate funding for habitat mapping,

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1 aquaculture programs, catch share
2 implementation and accountability, and XXXXX"
3 because I thought maybe there were other
4 recommendations that either came from the
5 other subcommittees or this group as a whole.

6 So that would be up for discussion.

7 Then let me just review. The last
8 paragraph was also specified there. "MAFAC
9 would like more information about the budget
10 requirements associated with management
11 changes, such as ACLs, accountability, catch
12 shares, ecosystem, management measures, and
13 other new management measures." I'm not sure
14 that was the final version.

15 And that, of course, speaks to what
16 she spoke to earlier, the idea of getting
17 information ahead of time and being able to
18 act on it. So that is what we talked about.

19 MR. BILLY: Okay. Open the floor
20 for any discussion. Yes?

21 MS. DOERR: Just to add to the XXX
22 there, recreational fishing statistics and

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1 research priorities.

2 MS. McCARTY: I'm sorry?

3 MS. DOERR: Recreational fishing
4 statistics and research priorities.

5 MR. BILLY: It would be part of the
6 new item in the XXX. Bill?

7 MR. DEWEY: I don't know if Patty's
8 comment, research comment, was specific to the
9 recreational realm, but I was going to add
10 research in there as an XXX as well.

11 MS. DOERR: It was, but yes,
12 prompted.

13 MR. DEWEY: It could be more
14 broadly.

15 MR. BILLY: All right. Other
16 comments, questions?

17 MS. McCARTY: I think she wants you
18 to say it again. Research in statistics or --

19 MS. DOERR: Recreational fishing
20 statistics. And I will comment and commercial
21 and recreational or just research.

22 MR. DEWEY: Actually, just the way

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1 you were typing it, just put "research" in
2 after "accountability." Does that work?

3 MS. DOERR: Yes.

4 MR. HOLLIDAY: So, Heather, do you
5 intend to have this piece of advice to give to
6 NOAA to affect 2012?

7 MS. McCARTY: Well, that was what
8 we talked about at the subcommittee, being
9 that that is the only budget that is still in
10 Commerce and can be affected by advice
11 internally. It doesn't mean that these
12 priorities couldn't be supported even in 2010
13 and, of course, in the 2011 budget but outside
14 of Commerce.

15 The discussion was if we are giving
16 advice to Commerce or to NOAA, we can't really
17 expect to give them advice on 2011 because it
18 is already out the door of Commerce. So yes,
19 Mark, that was the idea.

20 Yes. Is that right? That's
21 correct. You were there. Okay.

22 MR. BILLY: Randy?

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1 MR. CATES: Is this the right area
2 to speak about trying to insert the issue we
3 were talking about yesterday on the Fisheries
4 Finance Program, trying to get Congress to
5 raise the -- it's a budgetary item, I think.

6 MR. HOLLIDAY: Well, there is a
7 recommendation in the Commerce subcommittee
8 report to recommend four or five Fisheries
9 Finance Program findings and recommendations.

10 MR. CATES: Right. I guess what I
11 was asking is, does that need to be inserted
12 into this?

13 MR. BILLY: I think it's fine where
14 it is, but that's just my opinion.

15 Eric?

16 MR. SCHWAAB: I guess maybe what I
17 will do is repeat something I said at the
18 subcommittee yesterday. I think that there is
19 a question of what it is that we are trying to
20 accomplish here and how.

21 You know, we identify issues of
22 importance to us through the subcommittees.

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1 And we occasionally identify them as in need
2 of more funding. So it's a question of its
3 not adequate or inadequate. It's beginning
4 more specifically for this purpose.

5 Alternatively, there is this kind
6 of idea that we might want as a Committee to
7 set ourselves up in some kind of a -- at some
8 strategically important point in the budget
9 development process to say, "Of all of the
10 things that NOAA spends money on, here are the
11 things that we think are more important. Here
12 are less important."

13 I'm not sure, frankly, that the
14 second paragraph does either of those. It has
15 the potential to sort of grow into this
16 laundry list of we support adequate funding
17 for all of these things. But what does that
18 really mean? And what kind of advice does
19 that give? What kind of meaningful advice
20 does that really give NOAA?

21 You know, we either think something
22 is "adequately funded" or inadequately funded

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1 or over-funded. And the only way you really
2 say that across the board is in a comparative
3 sense.

4 I just have some basic discomfort
5 with this middle paragraph because I think it
6 is going to just sort of evolve into a pretty
7 meaningless exercise.

8 MS. McCARTY: Mr. Chairman, I agree
9 with that, actually. I realize that it is
10 just going to be a list. And the
11 prioritization is key. I agree with that.

12 I don't know what we can talk about
13 here or now, but --

14 MR. SCHWAAB: I think that really
15 is the core question that I am trying to
16 raise, which is do we want to carve out time
17 and devote energy to that kind of a
18 prioritization-based review and advice to NOAA
19 at, again, whatever is the strategically
20 appropriate time in the budget process or
21 would we rather recognize at some level the
22 futility of that and just say, "You know,

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1 let's focus on the budget issues that are
2 related to specific priorities that have been
3 expressed interest by the Committee"?

4 MR. BILLY: I don't know. My
5 thinking as we had this discussion was that
6 the Committee has considered the future and
7 made some recommendations in terms of research
8 priorities and other areas of priority.

9 It wouldn't hurt to have perhaps a
10 little more detailed presentation of the
11 budget where we would be able to develop a
12 sense of whether it is headed in the right
13 direction, whether we feel there is enough
14 emphasis or not in the areas we have already
15 talked about, made recommendations on.

16 I don't think we can begin to
17 engage in the budget process across the board.

18 So that is how I thought about this. That
19 was just my opinion when we discussed it.

20 Tony?

21 DR. CHATWIN: Just a thought that
22 maybe that paragraph and that Eric's comments

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1 resonate with me. The paragraph might be -- I
2 don't have a detailed discussion. That type
3 of paragraph might be more useful if we are
4 saying that within each of these topics, that
5 there is something specific that an increased
6 budget would achieve. That might be better.

7 When we see something like "Support
8 research," that doesn't really mean anything.

9 Research is important, but --

10 MS. DANA: So do you think
11 something like that because of the importance
12 of research and sound science or data
13 collection, we recommend --

14 DR. CHATWIN: I would love us to be
15 more specific than that. So habitat mapping,
16 I would like to see us say we would like to
17 see adequate funding to support habitat
18 mapping of X areas because those areas are
19 deemed priority for said purpose.

20 MR. NARDI: Then we need that
21 detail Tom was talking about with NOAA to dig
22 down and comment back.

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1 MS. McCARTY: Mr. Chairman, if I
2 could, I think I almost put Bering Sea
3 Canyons, but I know I couldn't get away with
4 it. You know what I'm saying, though, my
5 point being that everybody is going to want
6 their part of the world mapped or their little
7 offshore area or whatever.

8 So I completely agree that it would
9 be more effective, but I have a feeling that
10 that kind of detail, particularly in that
11 area, might be up to the individual regional
12 representatives to sort of push for. I could
13 be wrong, but that was my thought when I
14 thought about, "Oh, can we put the Bering Sea
15 Canyons in there?"

16 DR. CHATWIN: I agree, but I also
17 think that a Committee like this, if you can
18 come to a consensus on some specific
19 priorities, that carries a lot more weight
20 than if they let this come up with a general
21 statement, saying, "Let's support these really
22 big things."

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1 MS. McCARTY: Mr. Chairman, the
2 only thing that I felt was so obvious that all
3 of the MAFAC members could support it in its
4 specificity was the first sentence in that
5 paragraph.

6 I feel like we have heard that from
7 so many regions, so many areas that stock
8 assessment program might be really off-kilter
9 because of the lack of available data and
10 regular survey and monitoring activities that
11 seem to be not taking place because of budget
12 problems or funding problems. That seemed to
13 be the only really specific thing that I
14 thought maybe this measure should get behind.

15 Other stuff, you know, we talked
16 about it in the subcommittee. We talked how
17 specifically to have the aquaculture program
18 because we talked about the reduction in the
19 budget that we received this share. Some
20 people were particularly concerned about that.

21 So out of the other list and the
22 catch share implementation stuff that came

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1 from the other discussion and came down, so
2 maybe those three things I think the Committee
3 might be able to agree on, maybe not, but
4 we're talking about specific stuff.

5 MS. DANA: I think that that is a
6 very good point. To me that was important.
7 For example, you said the funding on the lack
8 of available data. I would say the lack of
9 available data and shareholder-trusted, lack
10 of available and shareholder-trusted data,
11 because that is one of the big issues out
12 there is that the fishermen, whether they are
13 recreational or commercial, more so
14 recreational, don't trust the science as well.

15 MS. McCARTY: Right.

16 MR. BILLY: Ken?

17 MR. FRANKE: Yes, Mr. Chairman. I
18 agree with Tony's comment. I know just from
19 personal experience in our region, -- I am
20 from Southern California -- Tom and I and
21 Patty, we have all been experiencing the
22 marine protected area process.

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1 The number one thing that -- I have
2 been involved with a lot of research over the
3 last five or six years, the number one thing I
4 hear from all the captains in the fleet and
5 the NOAA scientists -- there is no
6 disagreement -- is they need a priority placed
7 on identifying the habitat, specific, as Tony
8 said.

9 Then the second piece of it is to
10 continue to develop acoustic technologies so
11 that we are not dragging that necessarily to
12 do a survey -- using our non-invasive methods
13 is probably paramount to their success.

14 So specific to that piece in our
15 area, those are the two priorities that I see
16 as a user, that habitat identification and the
17 development of those acoustic technologies. I
18 would think that that would be applied pretty
19 much everywhere.

20 It seemed like in our current
21 process we're going through with MPAs, the big
22 fight is over where is the habitat? So that

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1 would almost seem like the foundation for the
2 future.

3 Thank you.

4 MR. BILLY: Okay. Cathy?

5 MS. FOY: Thank you, Tom.

6 Heather, I am wondering if your
7 first sentence there could be strengthened by
8 saying that "MAFAC members support with
9 complete consensus" or just in some way to do
10 it that way?

11 And then, to speak to Ken's point,
12 I also agree that the habitat mapping and the
13 others listed are important, but I think it
14 falls secondary to the need for adequate stock
15 assessments and monitoring because if we don't
16 monitor, we're going to get in trouble with
17 the MSRA.

18 We're going to quickly get into an
19 over-fish situation. And it will be playing
20 catchup, which is a very dangerous situation
21 to be in, as Martin can attest to. If you,
22 all of a sudden, realize you are in an

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1 over-fished situation, then there are extreme
2 measures that have to be taken.

3 So maybe if we could just, like you
4 said, give added emphasis to that first
5 sentence and then leave the second sentence.

6 MS. McCARTY: Maybe we could say
7 something like "MAFAC members unanimously
8 support top priority being given to adequate
9 funding for" and go on with that sentence.

10 MR. BILLY: Jim?

11 VICE CHAIR BALSIGER: This is I
12 think particularly useful. Eric's point, of
13 course, is very good. It would really be
14 helpful if you could show where we don't need
15 to spend money so you could secure it
16 someplace else, but that is almost impossible.

17 I spent a lot of time in finding what you
18 don't need to do, and it's not there.

19 I think that this administration
20 has a strong bent towards doing more science,
21 but they don't necessarily see surveying and
22 monitoring as science. They also might think

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1 that with the little bumps that we got to
2 support the Magnuson-Stevens reauthorized Act
3 in stock assessments, that that is done.

4 And so I think that is particularly
5 useful to note to me. And, of course, I have
6 a bias because I came up in the stock
7 assessment side of things. The note is that
8 that is the basis for most of what we do. I
9 find that very useful.

10 Once you get to a big laundry list
11 of everything, it gets less useful.

12 MR. JONER: I would just ask, why
13 don't they consider it science? What are the
14 science requirements?

15 VICE CHAIR BALSIGER: If you use
16 the same method used for the last 40 years,
17 count the same fish in the same way, expand
18 those into how many fish there are, that is
19 not a Ph.D. thesis. That is not even a
20 Master's thesis.

21 That is something the good student
22 does. They are looking for new technology,

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1 new ideas in science. New gear might be at
2 the edge of that, ways to use sound, figure
3 out what is in the corals, instead of using
4 that and things like that. That might be
5 science.

6 Surely the old monitoring
7 techniques that were used won't be considered
8 science.

9 VICE CHAIR BALSIGER: I think to me
10 that is what that says. We need to improve
11 our stock assessments.

12 MR. JONER: I was supporting that.
13 I wasn't trying to follow it. That was
14 useful.

15 VICE CHAIR BALSIGER: No. I hope
16 they would see that kind of as a science. Can
17 I say more or do I have to wait my turn?

18 (Laughter.)

19 MR. BILLY: I think wait your turn.
20 Mark?

21 VICE CHAIR BALSIGER: At least I
22 asked.

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1 MR. BILLY: Thank you.

2 MR. MARTIN FISHER: I didn't have
3 my hand up.

4 (Laughter.)

5 MR. BILLY: Randy?

6 MR. CATES: I think I have to ask
7 this Committee more of an historical question.
8 Has the Committee ever advised NOAA not doing
9 certain things?

10 And I think it's kind of important
11 that maybe we should because, for example, in
12 aquaculture, I have gotten to the point
13 several times of not being an advocate for
14 more research because the research that we
15 have gotten has in my opinion many times been
16 totally misused.

17 It's hard to advocate something
18 when you don't have an influence on what we
19 think is a proper direction. We're at that
20 point right now with aquaculture.

21 There has been a push to come to
22 the stakeholders and try and get us to call

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1 our congressmen. A lot of us are just not
2 doing it because the past eight years, a lot
3 of funding we have done has just gone in the
4 wrong direction a lot of us feel.

5 So should this Committee be more
6 specific and either try and influence
7 direction and a better use of the funds and
8 not just necessarily more funding?

9 MR. BILLY: It's a slippery slope.

10 MR. CATES: It's a needed slope,
11 though.

12 MR. BILLY: A billion-dollar
13 budget. We all have interest in parts of it.

14 PARTICIPANT: But should we be
15 doing things --

16 MR. BILLY: Who else had their hand
17 up? I'm sorry. It was Paul. Paul?

18 MR. CLAMPITT: I really can't speak
19 to Randy's point, but on the commercial side,
20 there are catch share issues. One of the
21 things that people from my part of the world
22 told me when I came to this meeting was that

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1 whatever you do, tell them to quit spending
2 money on this and spend more money on stock
3 assessment because when you put people into
4 catch shares, they lose the ability to move
5 from one fishery to another.

6 So if the data isn't correct and
7 your fishery crashes the next day, you're
8 done. You can't move into codfish or haddock
9 or whatever.

10 So if they are serious about these
11 catch shares throughout the entire Atlantic
12 and Pacific, then they had better do a better
13 job on the stock assessment.

14 We just had a trawl fishery in the
15 Pacific Coast that completely overnight, they
16 dropped it by I think 80 percent. They're
17 done. And they're right in the middle of
18 rationalization.

19 So I agree with you. Put it on the
20 top with a big star.

21 MR. CATES: I have a follow-up
22 point real quick. Should this Committee be

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1 doing the thing that it should be doing, or
2 what we think we can get away with? I mean,
3 your comment was --

4 (Laughter.)

5 MR. CATES: -- "Well, it's a
6 slippery slope." So what it's a slippery
7 slope? Maybe we need to be doing it.

8 MR. BILLY: My comment wasn't
9 designed to restrict the Committee at all. I
10 just know from my own experience, with the
11 budget process and the vastness of the budget,
12 you can't do it halfway.

13 For example, there are a lot of
14 details on stock assessment. So if you want
15 to drill down, then we can start to get into
16 different ways of doing stock assessment,
17 different regions, what the status of -- you
18 know, what would be most appropriate for the
19 different fisheries.

20 What I often think of is in a
21 three-day meeting, how much can we really
22 accomplish in an area like the budget? And so

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1 my tendency is to think about it from the
2 30,000-foot level and give a general sense,
3 like we have talked about in that first
4 sentence, aquaculture, support more
5 aquaculture research, and leave it to you and
6 others to influence the type of research,
7 rather than trying to deal with it
8 indiscriminately.

9 MR. CATES: I guess I would answer
10 to that I agree with you. That has been -- we
11 have been trying to do that. It's pretty
12 clear that we're not going there. We're not
13 accomplishing the goals that were set out
14 nearly ten years ago.

15 And it's not necessarily because of
16 lack of money. It's a lack of direction in my
17 opinion many times, not just with aquaculture
18 but other things.

19 So we have a great wealth of
20 experience in this room. And maybe we should
21 be utilizing it, our advice, a little bit to
22 give a little bit more direction.

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1 MS. McCARTY: Mr. Chairman, I sort
2 of like trying to get away with things. I
3 like that idea. But I don't look at it as
4 getting away with it. I look at it as saying
5 in our vision 2020 document, we said these are
6 the things that we thought were important in
7 the future of fisheries in this country.

8 What we need to say in advice on
9 the budget area is, should we be in support of
10 those things? So if we made a big deal out of
11 aquaculture development, which we did, then we
12 ought to be able to say with a straight face,
13 we think more budget, more resources ought to
14 be put in that direction.

15 And then the survey monitoring
16 activities and the support for stock
17 assessment is the same thing. You know, we
18 have said we support this over and over again.

19 So we ought to be able to put priority on
20 those things that we have said already we
21 support.

22 I think Tom is right. We can't go

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1 detail by detail into the NOAA budget, but we
2 can certainly give them direction on those
3 things that we would like to see happen.

4 And I don't think we have to be
5 afraid of doing that, just like we weren't in
6 Vision 2020.

7 MR. CATES: I agree that maybe we
8 need to find what our voice is going to be.
9 Maybe we are just saying it to ourselves.
10 Maybe that is really the bottom line issue is
11 we are not getting that message out.

12 MR. BILLY: Tony and then Bill?

13 DR. CHATWIN: So thinking this is
14 2012. And the reason the Magnuson Act is, is
15 there a renewed interest on fishing
16 communities. I think that's an area where I
17 would like to see us express some interest in
18 adequate funding for mutation or support of
19 fishermen communities.

20 And here it might be under the
21 catch share implementation ability. I am not
22 sure if that discussion has been made, but I

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1 think that is an area where it is not a new
2 mandate for NOAA. But I think I would maybe
3 ask for that language. I would like to see
4 the language here to do that.

5 MR. BILLY: You know, instead of
6 what is there, if we said, Heather, what you
7 just said, that it is an intent of the
8 Committee to take a closer look and involve
9 itself in the budget with respect to the
10 priorities and recommendations that we have
11 identified in our 2020 document and then offer
12 two or three examples of where we were
13 planning to focus on particular examples, not
14 increase them.

15 So it is more stating our intent
16 and alerting NOAA that be prepared. We're
17 going to be focusing more on this area in the
18 long run.

19 MS. McCARTY: Yes. Just in
20 response, I would say I hate to lose that
21 sentence because I think we are in agreement
22 on that sentence, I think. So I would hate to

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1 lose that.

2 MR. BILLY: That could be a for
3 example.

4 MS. McCARTY: And then I would go
5 if you want to go that direction, the second
6 sentence start with "In light of the new
7 initiatives of this administration and the
8 priorities identified by MAFAC in their vision
9 2020 document, we also support high priority
10 being given to adequate funding for" those
11 things that we have listed that we can agree
12 on. Okay.

13 MR. BILLY: Mark?

14 MR. HOLLIDAY: So my role here is
15 not to support or steer you in any direction,
16 but mostly for information. October 2008, the
17 Committee prepared a report, the transition
18 document into the new administration, keyed
19 off of 2020.

20 It was very specific that said,
21 "These are the priorities and recommendations
22 for the new administration from MAFAC," the

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1 same with fisheries policy recommendations,
2 fully fund stock assessment work to support
3 implementation manual, excellent
4 accountability measures.

5 So my point is there has got to be
6 some continuity between what you have already
7 recommended and what you are proposing be
8 recommended.

9 I think there is what I am
10 observing is sort of a gap in this continuity
11 between meetings about what we have done and
12 what we are trying to do. That is one
13 observation.

14 The other is the one we talked
15 about all this meeting, which is talking and
16 not having people listening to it and react to
17 it. That's the second issue.

18 And then the third observation is I
19 don't think you really are well-positioned to
20 drill down in any detail because you don't
21 have a process to compare priorities because
22 you don't have the data and you don't have the

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1 time set aside or a committee process to look
2 at, what has NOAA been proposing, what are the
3 pluses and minuses in the budget in order for
4 you to say anything more than very general
5 things.

6 So you have a choice. In that
7 case, if you want to drill down, I think you
8 have to commit more of your energy in time to
9 do that. Only you can judge whether that is
10 the worthwhile lesson, but I think there is a
11 continuity gap here.

12 You went on to talk about
13 priorities in October of 2008, identifying
14 candidate fisheries for limited access
15 privilege programs, fully fund the limited
16 access privilege line items. You have given
17 budget advice 12 months ago, over a year ago.

18 MS. McCARTY: Yes, yes.

19 MR. HOLLIDAY: It can change, but
20 if you want every October, you could have a
21 Committee whose job it is to work with NOAA
22 prior to the meeting to get informed and to

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1 bring to the table priorities and ideas for
2 discussion by the full Committee at a meeting.

3 I just think you're at a
4 disadvantage right now of not having that
5 time, data, and process in place in order to
6 be much more than very general and very broad.

7 I would just remind you that what you have
8 said before, if you want to use that as a --

9 MS. McCARTY: So in response, when
10 we had this discussion in the subcommittee
11 meeting as to timing, we agreed that if we do
12 this in March, with the benefit of some more
13 information, it would be too late for the 2012
14 budget. It would have already gone out of
15 Commerce.

16 And so that is why, as Mark
17 indicates, we are kind of doing this on the
18 fly in a sense. But if we link it back to
19 what we said in 2020, which is what we just
20 said, and some of the discussions we have had
21 here, I think that is completely legitimate
22 and fine myself. That's --

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1 MR. BILLY: Bill?

2 MR. DEWEY: I appreciate Mark's
3 comment. We ran into the same thing in the
4 Commerce Subcommittee, where, fortunately,
5 Mark was with us and could remind us what we
6 did previously. And we brought it back up to
7 realize that there had been no action on any
8 of our prior recommendations. So we just
9 remade those again.

10 So it might be good if we think of
11 future meetings and your annotated agenda
12 items. If we could have prior actions taken
13 on that subject by the Committee, it might be
14 helpful to include those in the annotated
15 agendas.

16 When I was trying to get the floor
17 earlier, I was just trying to get a motion on
18 the floor to move us along. And I think what
19 we have got here in my opinion is as good as
20 we are going to get here in our time today.

21 And I would make a motion for the
22 purpose of moving our process along that this

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1 be our recommendation regarding budget.

2 MR. BILLY: As now revised?

3 MR. DEWEY: As now reworded, yes.

4 MR. MARTIN FISHER: I'll second
5 that.

6 MS. McCARTY: Is there anything
7 else? What I said in that second sentence was
8 basically what you've got there and then
9 "MAFAC members also support high priority
10 being given to funding for" and then.

11 I mean, I take to heart what Eric
12 said. I think prioritization of some stuff
13 needs to be honored here and just not show up.

14 We can do much more than that at this point.

15 MR. DEWEY: That's great.

16 MR. MARTIN FISHER: I'll second it
17 with a small friendly amendment. Change
18 "MAFAC members." I suggest "MAFAC supports."
19 I think it reads stronger.

20 MS. McCARTY: That's fine

21 MR. BILLY: Discussion? Erika?

22 MS. FELLER: I like the amendment

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1 to the language. I think that it is well, I
2 think, rounded in vision 2020. There needs to
3 be a reason I think to support making these as
4 a priority.

5 That being said, you know, I also
6 kind of think -- you know, one of the things
7 that I heard in the budget discussion that we
8 had with Gary was that if you want to be able
9 to have influence over the budget process,
10 this is how it works. And you have to get in
11 two years in advance.

12 There was something that Monica
13 Medina said in her presentation, which is at
14 this 30,000-foot level, there are basically 2
15 things that you can influence and be relevant
16 to. And that's policy and budget at a high
17 level.

18 I think that MAFAC should seek to
19 be more relevant to the budget process. And
20 on an ongoing basis, you know, I have been to
21 a couple of meetings now. And I have found
22 the budget briefings good but fairly generic.

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1 I would like to hear more detail
2 about some of the things that MAFAC has
3 identified as priorities through vision 2020,
4 things that the different committees are
5 working on about recreational fishing or
6 aquaculture or catch shares.

7 So going on into the future, I
8 think we should try and find a way to kind of
9 build into our process and make sure that this
10 is part of what we're concerned with.

11 MR. BILLY: That's actually a very
12 interesting idea. Rather than the generic
13 budget summary that covers the entire budget,
14 have that presentation focus in on the areas
15 we have identified as priorities and provide
16 us more data and more information so we can
17 consider and respond to where the agency is
18 headed with respect to our priorities, what we
19 have previously identified as priorities.

20 Tom?

21 MR. RAFTICAN: Yes. I think,
22 actually, that came up in the meeting a little

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1 bit towards the end. One of the suggestions
2 that kind of ran forward and, actually, in my
3 committee also was to include in the spring
4 presentation basically, not the entire NOAA
5 budget but NOAA Fisheries budget where the
6 priorities are, and maybe spend one of these
7 sessions on it because it gives us the
8 opportunity. You know, if you want to make
9 changes, change the budget.

10 And if you want to make
11 recommendations, Tony, right on the nose, you
12 hit the specifics on the budget to say this is
13 where -- and you were actually being helpful.

14 And I think at our next meeting
15 and, again, like you said -- as a matter of
16 fact, I am listening to you and adding more
17 stuff from my report this afternoon because it
18 just makes an awful lot of sense.

19 It gives us a little bit of
20 background on how to comment on it. You have
21 got a template there. And it's like move this
22 to here. And we actually can cause the

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1 changes that we're looking to do.

2 MR. BILLY: Any other discussion on
3 the motion?

4 MS. McCARTY: On what?

5 MS. DANA: I just want to make one
6 comment. Here we have "MAFAC supports high
7 priority be given to habitat mapping, the
8 aquaculture program, catch share
9 implementation and accountability.

10 When that I read that, it says,
11 "MAFAC supports high priority be given to
12 catch share implementation and
13 accountability." And we all know that not
14 everyone in the fisheries community supports
15 catch share.

16 So would it be not to say that
17 we're pushing implementation but maybe we
18 support the catch share or catch share
19 accountability where implemented? Even if it
20 happens, can we say we support catch share
21 implementation and accountability?

22 MR. BILLY: Yes, Heather?

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1 MS. McCARTY: My understanding of
2 the discussion that we had was that
3 accountability is only one piece of what we
4 were concerned about in the implementation of
5 catch share programs. So I am not sure what
6 he suggests would work in that particular
7 case, though I understand your point.

8 MS. DANA: Yes, yes. I think
9 accountability is precisely what the
10 discussion was. And whether its catch shares
11 are carried off or not, we want an accountable
12 process in place. But the way I read this is
13 that MAFAC supports high priority be given to
14 catch share implementation. So that is
15 definitive and then accountability.

16 MR. BILLY: Catch share
17 implementation where appropriate.

18 MS. McCARTY: Sure. That would be
19 good.

20 MR. BILLY: That then gives you the
21 political wiggle room.

22 MS. McCARTY: Exactly.

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1 MS. DANA: Well, it doesn't for me.

2 MR. BILLY: Okay. What would you
3 suggest, then?

4 MS. DANA: Catch share
5 accountability where implemented.

6 MS. McCARTY: Again, I am not sure
7 if that gets at the heart of what people were
8 concerned about. They were concerned about
9 accountability and it being funded, you know,
10 the whole range of issues there, and then
11 other implementation issues, I think. I could
12 be wrong.

13 MS. DANA: No. I think you are
14 absolutely, the sentiment behind the
15 discussion is absolutely, on mark. I just
16 don't want MAFAC to get into a statement when
17 representing all sorts of fisheries,
18 commercial, for-hire charter, recreational,
19 private recreation, and they're saying they
20 basically support implementation of catch
21 shares.

22 MS. McCARTY: Yes.

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1 MS. DANA: They're not supporting
2 it. You know, they're not speaking to us.

3 MR. BILLY: Martin and then Terry?

4 MR. MARTIN FISHER: I would
5 certainly support where you are going. I
6 think that that change that just happened
7 changes the paragraph somewhat. I am not sure
8 what the word-smithing is to get what it is
9 that you want. I certainly understand.

10 I don't necessarily read the
11 paragraph in the way in which you read it.
12 I'm certainly not in favor of indiscriminate
13 catch share implementation, certainly not
14 that.

15 But I don't think that's what the
16 paragraph was actually saying. I think what
17 the actual paragraph was saying was that catch
18 share implementation needs to be funded
19 properly for success if there is going to be
20 catch share implementation. I think that is
21 basically what you are saying.

22 MS. DANA: That's exactly what I am

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1 saying.

2 MR. MARTIN FISHER: That change
3 doesn't get there. And it changes the value
4 and the essence of what was there before, I
5 think.

6 MR. BILLY: Terry?

7 MR. ALEXANDER: Well, I thought
8 that we had discussed the top priority being
9 the surveys, adequate funding for surveys.
10 And that seems to be going well.

11 MS. McCARTY: No, no. We left all
12 of that in.

13 MR. ALEXANDER: Did I miss that?
14 Okay.

15 MS. McCARTY: It's right there.

16 MR. ALEXANDER: All right.

17 MR. BILLY: Any other thoughts on
18 this?

19 MS. McCARTY: Mr. Chairman, I have
20 one friendly amendment, and then I want to
21 address what Tom just said. I think in the
22 second line, instead of "regular survey," it

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1 should be "consistent," rather than "regular,"
2 because somebody has pointed out to me that
3 "regular" is just kind of like the way it is
4 now or whatever.

5 And I don't know how else to say
6 that. There may be a better word than
7 "consistent." I am not sure. Somebody can
8 come up with one.

9 PARTICIPANT: Necessary and
10 consistent.

11 MS. McCARTY: Consistent and timely
12 I think drives that. I think that is good.
13 So making a motion would accept that as a
14 friendly amendment.

15 PARTICIPANT: Yes. I would make
16 that motion.

17 MS. McCARTY: Making the motion and
18 accept it as a friendly amendment?

19 PARTICIPANT: I second it.

20 MR. BILLY: So I want to go back to
21 the --

22 MS. McCARTY: If members of this

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1 group are not happy with the catch share
2 aspects of this, then we shouldn't pass it.

3 MR. BILLY: I agree. I would like
4 to go back to the motion.

5 MR. DEWEY: If I'm understanding
6 the concerns, I was trying to identify a
7 potential amendment that might address
8 Pamela's concern. But it may be what you
9 said, Tom. I'm not sure. But just trying to
10 -- if you shifted that at the bottom to "catch
11 share implementation and accountability where
12 appropriate"?

13 MS. DANA: I think we always want
14 the catch share programs to be accountable and
15 depending what we put into accountability.
16 But not all fishing communities support catch
17 share implementation.

18 MR. DEWEY: I understand that. And
19 that's what I was trying to get at with my
20 wording. So catch share implementation and
21 accountability where appropriate.

22 MR. MARTIN FISHER: Catch shares

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1 where appropriate.

2 MR. BILLY: Catch shares where,
3 yes.

4 MS. DANA: I'm not trying to be a
5 stink pot. I just don't want MAFAC to make a
6 statement that later it has to backtrack.

7 MS. McCARTY: Absolutely.

8 MR. MARTIN FISHER: Would that
9 work? Tom? Tom, does that work as she has it
10 now?

11 MS. LOVETT: Implementation and
12 accountability of catch shares where
13 appropriate?

14 MS. McCARTY: Yes.

15 MR. DEWEY: I accept that as a
16 friendly amendment.

17 MR. BILLY: So we have --

18 DR. CHATWIN: So everything else is
19 fair game everywhere?

20 MS. McCARTY: Let's have lunch
21 first if we don't go on.

22 MR. BILLY: I am going to try to --

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1 DR. CHATWIN: The only where we're
2 saying the facts may be appropriate. And if
3 that's the way we create it, that's fine.
4 It's just --

5 VICE CHAIR BALSIGER: A high note
6 here in 30 seconds.

7 DR. CHATWIN: I am highlighting
8 catch shares where appropriate. You are
9 saying everything else is fair game everywhere
10 else.

11 VICE CHAIR BALSIGER: Meaning that
12 says you don't have to have accountability
13 unless there is a catch share program? Is
14 that the point?

15 DR. CHATWIN: My comment is not to
16 change the catch share. It's we split the
17 aquaculture everywhere or where appropriate.
18 I mean, that's just --

19 MR. DEWEY: It's funding for the
20 aquaculture program. We're not endorsing
21 aquaculture everywhere. We're just saying
22 funding for the aquaculture program.

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1 MR. MARTIN FISHER: Mr. Chairman,
2 please?

3 MR. BILLY: Yes, Martin?

4 MR. MARTIN FISHER: The lead
5 sentence sets the stage for this paragraph.
6 And it's about funding. It's not about which
7 program is preferred over another program. I
8 think we need to scrap the amendment, go back
9 to the original, and leave it at that.

10 I still support what you are
11 saying. I just don't think this paragraph is
12 saying what you are afraid of saying. I don't
13 think the majority of people reading this
14 paragraph are going to get the sense that
15 MAFAC supports catch share programs. It's
16 just that if there is going to be a catch
17 share program or any of these other programs,
18 adequate funding must be supplied.

19 MS. DANA: I respectfully disagree.

20 MR. MARTIN FISHER: Okay.

21 MS. McCARTY: Mr. Chairman, is it
22 appropriate at this point to break for lunch

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1 and to try to arrive at language that we might
2 be able to bring back because I'm not sure
3 this is the best way to do it.

4 MR. BILLY: I don't feel like we
5 have closure. So I think that is an excellent
6 suggestion. So we will break for lunch. I
7 would like to try to keep it a little shorter,
8 maybe about 45 minutes, if we can. And when
9 we resume, Heather will take a little bit of
10 time initially to try to sort through this.

11 MS. McCARTY: Bill.

12 MR. BILLY: So we've got Bill and
13 --

14 MS. DANA: I just want it to be on
15 the record that MAFAC is not stating it's in
16 support of catch shares implementation.

17 MR. BILLY: All right. Bill?

18 MR. DEWEY: I would like to suggest
19 an alternative.

20 MR. BILLY: Okay.

21 MR. DEWEY: I feel like we have
22 beat this horse adequately and that we may

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1 well have a consensus here. You know, not
2 everybody is perfectly comfortable, but it's
3 something they could live with so that we
4 could move on.

5 I would like to test it. If we
6 don't have a unanimous vote, let's come back
7 to it after lunch. But let's test it and see
8 if we have a unanimous vote.

9 MR. BILLY: All in favor?

10 MR. DEWEY: Call the question.

11 MR. BILLY: Calling the question?

12 MR. DEWEY: Call the question.

13 MR. BILLY: Okay. We have a motion
14 that is seconded. It has been amended. It is
15 before you. All those in favor, say aye?

16 (Whereupon, there was a chorus of
17 "Ayes.")

18 MR. BILLY: All those opposed?

19 MS. McCARTY: Aye.

20 MR. BILLY: The motion is carried.

21 MS. McCARTY: With one in
22 opposition.

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1 MR. DEWEY: What I had suggested,
2 Mr. Chairman, if we weren't unanimous, we
3 should revisit it after lunch. That was my
4 recommendation. And if we're not unanimous,
5 if Heather would like to revisit it after
6 lunch, we can.

7 MS. McCARTY: I expected other
8 people to oppose it. I didn't intend to be
9 the only person. And I just assumed that
10 Pamela was going to oppose it as written, but
11 if she is not opposing it, I'm certainly --

12 MS. DANA: I like that sentence in
13 there.

14 MS. McCARTY: You do?

15 MS. DANA: The one that Bill --

16 MS. McCARTY: You're okay with it?
17 You're not opposed to it?

18 MR. MARTIN FISHER: Well, I
19 couldn't figure out whether to say aye or nay.
20 So you can count my vote as against.

21 MR. BILLY: We're done. We're
22 breaking for lunch.

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1 (Whereupon, a luncheon recess was
2 taken at 12:26 p.m.)

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1 talked to her on the phone in terms of the
2 third paragraph. It separates the ideas to
3 give a little bit more clarity and punch to
4 each idea.

5 And in the third paragraph, you can
6 see where the confusion on terms has been
7 clarified.

8 MR. BILLY: Is there a second?
9 Yes?

10 MR. WALLACE: Do we follow
11 parliamentary rules?

12 MR. BILLY: Sort of.

13 MR. WALLACE: Because the only
14 person who can make a motion like that is
15 someone who voted in favor of the motion that
16 passed.

17 MR. BILLY: He did.

18 MR. WALLACE: Okay.

19 MR. MARTIN FISHER: I abstained.

20 MR. BILLY: He did.

21 MR. WALLACE: Okay.

22 MR. BILLY: He said yea.

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1 MR. WALLACE: Well, okay.

2 MR. BILLY: That's okay.

3 MS. LOVETT: Can I just clarify for
4 everybody it looks like it's all different.
5 Really, the only text that is different is the
6 very end of this sentence right here, well,
7 from here. It's just reordered. And that
8 last after the comma, that phrase is reworded.

9 And then the first sentence is made
10 its own paragraph. That's really your only
11 substantive change.

12 MR. BILLY: Okay.

13 MS. FOY: I move that we accept it.

14 MR. MARTIN FISHER: I'll second it.

15 MR. BILLY: Okay. Any further
16 discussion?

17 (No response.)

18 MR. BILLY: No? All those in
19 favor?

20 (Whereupon, there was a chorus of
21 "Ayes.")

22 MR. BILLY: Opposed?

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1 (No response.)

2 MR. BILLY: Okay. All right. We
3 need to get through the third item. You'll
4 see on the screen -- Heather is delayed
5 slightly. So there is a third item that her
6 subcommittee dealt with -- and it's on the
7 screen -- which is "Over the next two years,
8 MAFAC members intend to develop a new planning
9 document, vision 2030, to build on what was
10 begun in 2020 and place new emphasis on
11 developing issues, such as marine spatial
12 planning." So it is a statement of intent by
13 the Committee.

14 Can I have a motion to accept this?

15 MR. WALLACE: I move that we accept
16 that as a recommendation to the Secretary.

17 MR. BILLY: Okay. Second?

18 MS. FOY: I second.

19 MR. BILLY: Discussion? Tony?

20 DR. CHATWIN: Can I ask a question?

21 Is the title intended to reflect the segue of
22 this document?

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1 MR. BILLY: Yes. The current 2020
2 used a planning process in which we sort of
3 envisioned given current trends various
4 considerations, what we would like fisheries
5 to look like in 2020 and what it would take
6 them to make that true if you get a sense of
7 what I am saying.

8 So now the idea is to in a similar
9 way let's think way out and what we would like
10 to be true about fisheries in terms of
11 management, research, and et cetera.

12 DR. CHATWIN: I think it is a great
13 idea. It's just that the ten years is still
14 2020. Do we want to have a 20-year plan on
15 the horizon or 10 years would be enough and
16 whether that discussion has happened?

17 MR. BILLY: We talked about longer
18 in the subcommittee and finally sort of
19 arrived at 2030 as stretching it about as far
20 as we could imagine, I guess. But it's a good
21 point. I mean, fair enough.

22 When we did 2020, it was actually

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1 about when we started, it was about, 14 years.

2 MR. CATES: Started it with what?

3 MR. BILLY: Out 14 years. We
4 started in 2006. Is that right? Yes. Go
5 ahead. Randy?

6 MR. CATES: We had a similar
7 experience with vision 2020 is we did
8 something in Hawaii. We did something for
9 aquaculture and created this marketing video.
10 By the time we distributed it, most of the
11 businesses that were in it changed.

12 We've done what we can with vision
13 2020 before we started on revising it. It
14 seems that we're not having -- I don't know if
15 we're even delivering it to the entity that
16 should be receiving it.

17 MR. BILLY: Well, it's gone to I
18 think the Department, the White House, OMB. I
19 don't know what the response has been.

20 MR. CATES: We heard today that the
21 person in that position didn't know about --

22 MR. BILLY: Well, but I have

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1 separately verified that she, in fact, was
2 given a copy. So that's why we emphasize the
3 importance of sitting face to face.

4 MR. CATES: I guess I am not
5 against starting 2030. I think we should pay
6 a little bit more effort and attention on
7 looking at how we deliver the message. We
8 really need to address that.

9 MR. BILLY: Do we have other
10 discussion? Martin?

11 MR. MARTIN FISHER: Well, to that
12 point, I would like to go on record on behalf
13 of myself and if not perhaps the Committee if
14 the Committee agrees, that there is a
15 disparity between doing all of this work,
16 creating the document and finding out that the
17 person that actually did receive it doesn't
18 even know if it exists, doesn't have it on
19 record somewhere.

20 I'm not attacking Ms. Medina in any
21 way whatsoever. It's a hard time for
22 everybody in transition, but it is very, very

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1 frustrating to sit at this table and hear
2 that.

3 MR. HOLLIDAY: Just a point of
4 information. Monica Medina wasn't here, nor
5 was Dr. Lubchenco, when Tom Billy and Tony
6 DiLernia briefed Mary Glackin, the acting
7 administrator, on 2020 and the transition
8 document.

9 MR. MARTIN FISHER: Okay.

10 MR. HOLLIDAY: So they met with
11 NOAA leadership. The highest ranking person
12 was the acting NOAA administrator, Mary. And
13 she received the document at that meeting in
14 December, after the election but prior to Dr.
15 Lubchenco's arrival in the spring.

16 So, in all fairness, we transmitted
17 it to them. And whether or not NOAA did well
18 at exchanging information and passing it
19 further down the line, NOAA acknowledged it.
20 We've had very good vibes from Mary. But I
21 think we have not had a separate briefing. I
22 was correct we have not individually briefed

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1 Dr. Lubchenco or Monica Medina on the 2020
2 document.

3 MR. BILLY: That's why I said what
4 I did earlier.

5 MR. MARTIN FISHER: To follow up,
6 since Tony is the one who was with us and he
7 was such a good representative from MAFAC and
8 we just got done saying that we should
9 champion individual projects or
10 recommendations, isn't there somebody on the
11 Committee that could possibly step forward and
12 be the champion for 2020 and move it along?
13 That's what he's saying? Okay.

14 MR. BILLY: The other thing I would
15 add is that when we did brief her, she had
16 read it in advance. She had sections of it
17 highlighted. She made notes about where she
18 felt that parts of it could be incorporated
19 into the overall NOAA plan, parts where it
20 ought to be referred to the NOAA Budget
21 Office, et cetera.

22 So it wasn't just "What are you

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1 here to talk to me about?" It was she got it.

2 And to that extent, it was used throughout
3 NOAA.

4 But the new people now, as Mark
5 said, we need to reach them as well with the
6 existing document, let alone once we complete
7 something new.

8 Yes, Randy?

9 MR. CATES: I just want to point
10 out two quick things. One is if you look on
11 the sheet, it talks about transition. We were
12 going to seek a meeting with Dr. Lubchenco to
13 deliver and discuss vision 2020.

14 The other thing that I would point
15 out is that we are tasked with some pretty
16 strong language where it says we "shall advise
17 the Secretary of Commerce."

18 Our job and our role is to advise
19 the Secretary of Commerce, and we're not doing
20 that. I keep bringing that up as a real
21 important point, but we have that duty. It
22 says that is what our job is to do.

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1 So I am fine with doing 2030 and
2 all of that, but we have got to remember our
3 job is the Secretary of Commerce, not
4 necessarily the head of NOAA. And I think
5 that we have to address that.

6 MR. BILLY: All right. We have a
7 motion on the floor that has been seconded.
8 Any other discussion?

9 (No response.)

10 MR. BILLY: All those in favor of
11 this recommendation say aye.

12 (Whereupon, there was a chorus of
13 "Ayes.")

14 MR. BILLY: Opposed, nay.

15 (No response.)

16 MR. BILLY: Okay. We're done.
17 Good. Thank you.

18 Now we're going to move on to the
19 next report, which is the Ecosystem Approach
20 Subcommittee. So let me call on Tom to share
21 with us the results of their work.

22 MR. RAFTICAN: Okay. The Ecosystem

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1 Subcommittee met yesterday afternoon. And we
2 are very lucky to capitalize on the presence
3 of Grover Fugate and Jack Wiggin, who made
4 presentations in here yesterday morning that
5 really were addressing things that were very
6 relevant to the Ecosystem Subcommittee. It
7 will be just about a second or two. I
8 apologize for getting up.

9 (Whereupon, the foregoing matter
10 went off the record briefly.)

11 MR. RAFTICAN: There we go. Next.
12 The Ecosystem Subcommittee met and also
13 worked as a working group on marine spatial
14 planning and the ocean policy.

15 We went over a lot of this at our
16 last meeting in May, came forward with some
17 recommendations, and then further clarified
18 those recommendations on a series of
19 conference calls, where we brought together,
20 first of all, the working group and then,
21 after that, the entire MAFAC, which voted on
22 this last summer.

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1 We put forward a set of
2 recommendations to Dr. Lubchenco at that
3 point. And regarding that, we had comments on
4 both ocean policy and on marine spatial
5 planning.

6 The President's plan on ocean
7 policy, the date has closed. And those
8 documents will stand. We have done an update
9 on the marine spatial planning element within
10 the Ecosystem Subcommittee and then also
11 incorporated some of the ideas and concepts,
12 basically general concepts and general ideas
13 from the practical experience that we have
14 heard about from both Rhode Island and
15 Massachusetts. Okay?

16 Thank Jack and Grover and
17 Massachusetts for that. The advantage here is
18 both of these states are working actually
19 almost on a regional basis right now are doing
20 this stuff on the water. I mean, they're
21 literally putting marine spatial planning in
22 place.

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1 Part of the interesting thing that
2 we learned yesterday is that they're dealing
3 with not just their states' territorial waters
4 but out to 30 miles for a number of good
5 reasons. But what it does is it shows that
6 how do they get forward on a lot of this
7 stuff?

8 Very interesting. Their basis was
9 using models out of Europe. One of the other
10 things beyond just the European models was the
11 fact that they had very, very broad
12 stakeholder involvement. And, again, they
13 emphasized how incredibly important this was.

14 One of them -- we'll see whether
15 it's a difference or a similarity -- is the
16 fact that the projects in both Rhode Island
17 and Massachusetts were predominantly
18 energy-driven.

19 We've got marine spatial planning.
20 Energy will be a key participant, taking it
21 on from NOAA, instead of Mineral Management
22 Service, may actually get us with a different

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1 set of drivers in there. And it's just
2 something to kind of keep in the back of your
3 mind.

4 One thing that was said and we need
5 to take into consideration when talking about
6 being energy-driven, right now energy is going
7 to be the big dog. All right? They're going
8 to be extremely well-funded.

9 And it is very good for us to get
10 on the board with these things and kind of get
11 in the game because the funding on the other
12 side is going to allow a lot of things that --
13 and this is personal opinion -- may be
14 difficult for us as fishermen to do.

15 Next. The ocean policy input, this
16 is what we put forward. I didn't want to put
17 the whole couple of pages up there on the
18 PowerPoint, but there is the address. I will
19 e-mail the PowerPoint to everybody on the
20 MAFAC afterwards so that you can look this up.

21 If you go to the MAFAC website,
22 it's the August 11th document on there. And

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1 it's relatively easy to find. I think you
2 should be able to get it right now.

3 Marine spatial planning looks like
4 -- okay. This is the correct setup for marine
5 spatial planning, to give a little bit of
6 background of where it is coming from.

7 And then if you'll go to the next
8 slide? Did we jump too fast on that?

9 MS. LOVETT: Do you want to read
10 that?

11 MR. BILLY: Do I need to?

12 MR. RAFTICAN: You probably don't
13 need to. We all signed off on this.

14 MR. BILLY: Okay.

15 MR. RAFTICAN: We all signed off on
16 this. This is the document that we have
17 signed off on.

18 MR. BILLY: Got it.

19 MR. RAFTICAN: But I wanted to give
20 everybody, the new folks there, a little bit
21 of the background of where we're at on this.

22 MR. BILLY: Got it.

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1 MR. RAFTICAN: So at least you have
2 got the document there within the PowerPoint.
3 Okay?

4 MS. LOVETT: Is this expanded?

5 MR. RAFTICAN: This is not
6 expanded. This is as written.

7 MS. LOVETT: Okay.

8 DR. CHATWIN: Just for my benefit,
9 the MAFAC has --

10 MR. RAFTICAN: Has endorsed that
11 and sent that forward.

12 Here are the proposed additions to
13 the MSP document. These are some of the
14 recommendations that we came out of the room
15 with.

16 The concepts yesterday -- and,
17 actually, have been cobbling them together in
18 the course of the day and have finished at
19 least 55 minutes ago.

20 Initial recommendation, MAFAC
21 recommends that the plan or process for
22 determining and prioritizing suitable uses of

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1 marine ecosystems include consideration of the
2 value and continuance of current and
3 traditional uses, particularly commercial,
4 recreational, and subsistence fisheries. Does
5 that sound okay?

6 And, again, this will fit back in
7 with the marine spatial planning document and
8 with thoroughly covered aquaculture within the
9 document. So, you know, I don't think there's
10 anything that -- it doesn't injure anything in
11 there but probably clarifies a bit.

12 Cooperation and trust between
13 managers and stakeholders is essential to an
14 ecosystem-based approach. Therefore, it is
15 important that fishermen and other
16 stakeholders are treated fairly.

17 A quick note on why this came in.
18 We were walking out of the meeting yesterday.

19 And Ken Franke and I were talking. And he
20 said, you know, this isn't just, you know,
21 California has gone through an awful lot of
22 marine protected areas. He also brought up

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1 one of the experiences of one of the folks at
2 the Pacific Council regarding marine spatial
3 planning.

4 The whole thing was a trust deal.
5 And it is whether or not fishermen trust what
6 is going on. There are ways of putting this
7 together, and maybe this is beating a dead
8 horse, but I just thought it better putting
9 something like this out there.

10 Any questions on that?

11 (No response.)

12 MR. RAFTICAN: The third bullet
13 there was something that came up and we didn't
14 work on in the Committee meeting. We spent an
15 hour and 15 minutes at the Committee just kind
16 of going over things and, unfortunately, only
17 about 10 minutes trying to put a document
18 together, particularly what Heather and others
19 were saying this morning, talking, how do we
20 get out in front of a lot of this stuff.

21 What this is is MAFAC endorses the
22 use of a scientifically grounded GIS modeling

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1 program, a scientifically routed GIS modeling
2 program, to serve as an important tool
3 involving the widest range of stakeholders of
4 marine spatial planning.

5 We talked a little bit about the
6 use of modeling and GIS work in the
7 subcommittee. The other thing is one of the
8 things that was extremely important with the
9 folks, the practical experience, for both
10 Massachusetts and Rhode Island -- and I can
11 tell you and I'm sure Ken and Patty can tell
12 you that California also of extreme importance
13 -- is getting stakeholders involved in the
14 process.

15 I would guess if we had some of the
16 people that are on the task force, that GIS
17 modeling is going to be a major part. We
18 heard this morning, how do you put overlays on
19 the map? Nowadays you don't do it with
20 cellophane. You do it electronically.

21 What the focus of this was is get
22 us involved in the initial go-around on it so

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1 that we can get the broadest -- so that our
2 constituents, we and our constituents, could
3 get involved in the process early on, to get
4 input in the process early on. And that is
5 basically why that is up there.

6 Any questions on that?

7 MS. FOY: I have a comment on the
8 second paragraph. I think that that last
9 statement, "Therefore, it is important that
10 fishermen and other stakeholders are treated
11 fairly," I think "fairly" is a very marshy
12 ground.

13 I think you need to say something,
14 instead, about it being an openly transparent
15 process that will encourage trust because no
16 matter what decisions are made, somebody is
17 going to be unhappy and plain embarrassed.

18 So, rather than that, say, a
19 transparent and open process --

20 MR. RAFTICAN: Cathy, I would agree
21 with you on that, but, Ken, do you want to --

22 MR. FRANKE: Yes. What I was

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1 talking to Tom about yesterday -- and I
2 understand your point, and I was just thinking
3 in terms of any specific -- maybe something to
4 the effect of MAFAC recommends steps be taken
5 to ensure the process is equitable because we
6 have seen what happens when it is not.

7 As Jack mentioned yesterday in his
8 presentation, if the process isn't equitable,
9 nobody is going to have faith. And we end up
10 with another situation.

11 MS. FOY: If I could offer a
12 friendly addition to that, equitable and
13 transparent?

14 MS. DOERR: It can't just be -- I'm
15 sorry to just jump in. It can't be just open
16 and transparent. If everybody is not being
17 listened to and it is not equitable, it can be
18 transparent. Otherwise it would still not be
19 fair and equitable.

20 MR. FRANKE: If I can add, the
21 outcome isn't going to be the outcome. Not
22 everybody is going to agree. But the process,

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1 if it's equitable and above reproach and a
2 bias we can live without, we can live with the
3 outcome.

4 MR. RAFTICAN: Martin?

5 MR. MARTIN FISHER: In the second
6 paragraph, I think if that is what you are
7 trying to get to, that last sentence, there
8 needs to be an addition to it, something like
9 "Therefore, it is important that the
10 experience and viewpoints of fishermen and
11 other stakeholders be as important as part of
12 the process" because that is what is going to
13 give you cooperation and trust between
14 managers. Cooperation and trust between
15 managers doesn't necessarily mean that --

16 MR. RAFTICAN: Okay. Could you
17 read your statement again?

18 MR. MARTIN FISHER: Sure.

19 MR. RAFTICAN: I think we are going
20 to bring in the open and transparent element,
21 I believe.

22 MR. FRANKE: Because I think it

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1 solves it at a higher level.

2 MR. RAFTICAN: Yes.

3 MR. FRANKE: So "MAFAC recommends
4 steps be taken to ensure the process is
5 equitable."

6 MS. LOVETT: As an additional
7 bullet or --

8 MR. RAFTICAN: No. Bullet number
9 two, the final sentence. And this would be
10 instead. Take that out.

11 MR. FRANKE: "MAFAC recommends
12 steps be taken to ensure the process is
13 equitable and transparent."

14 MR. RAFTICAN: Cathy, anything else
15 on it?

16 MS. FOY: No.

17 DR. CHATWIN: Just a clarification.
18 What processes are you referring to?

19 MR. RAFTICAN: This is the marine
20 spatial planning process. This recommendation
21 will go back in as basically an addendum to
22 recommendations that we have made on marine

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1 spatial planning.

2 MR. MARTIN FISHER: I'm with Tony,
3 which should be process of development.

4 MR. BILLY: Bill?

5 MR. DEWEY: You can tell where all
6 the aquaculture guys were over in the Commerce
7 meeting when you guys met. Somehow we dropped
8 out of the list on the first.

9 MR. RAFTICAN: I don't have a
10 problem with putting something in there. I
11 think the other bullet points Mary adequately
12 addressed, but if you want to put aquaculture
13 in there, I don't see anybody -- does anybody
14 have any argument with that, commercial/rec,
15 or -- yes. It's redundant but fine.

16 MS. DOERR: On that first bullet, a
17 lot of the discussion yesterday that we had in
18 the subcommittee talked about current
19 management regimes and maintaining
20 jurisdiction.

21 And Pam brought this up about how
22 fishermen specifically -- I'm sure others as

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1 well but fishermen were very concerned that
2 marine spatial planning is going to somehow
3 change the management and the council
4 structure and stuff.

5 MR. RAFTICAN: Before we -- oh, I'm
6 sorry.

7 MS. DOERR: Well, I was just going
8 to recommend or suggest a second sentence in
9 that first bullet about recognizing and
10 continuing current management regimes for all
11 of those things listed. And I have a sentence
12 here.

13 MS. LOVETT: So, Tom, do you want
14 me to go back to the --

15 MR. RAFTICAN: I would go back to
16 the previous page. And let's look and see if
17 it's -- I think it was fairly well-addressed
18 in that but more further. One more. Oh, yes.

19 MS. LOVETT: So this was the --

20 MR. RAFTICAN: Yes.

21 MS. LOVETT: In that two-page
22 document that we sent, we had some bigger

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1 recommendations on policy. And it's a segue
2 to the second part. This paragraph segues
3 into the discussion about framework,
4 coordination, and essentially marine spatial
5 planning.

6 MR. RAFTICAN: Yes.

7 MS. LOVETT: And then there was a
8 series of bullets.

9 MR. RAFTICAN: I think if you
10 actually go back to where you were before, the
11 key --

12 MS. LOVETT: Oh, you mean there?

13 MR. RAFTICAN: Well, no. It is
14 this is "Federal governments, states, tribes,
15 regional fishery management councils, and
16 regional stakeholders" and then "Transparent
17 appropriate science-based decision-making
18 process." Is that where you are going with
19 the traditional management on it?

20 MS. DOERR: Not directly. I am
21 talking about just use recreational fishing or
22 fishery management in general as an example.

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1 Regional fishery management councils have
2 jurisdiction over fishery management plans,
3 the creation of those plans, whether or not
4 they are required, this, that, and the other
5 thing.

6 Me personally I don't know if folks
7 share this, but I think marine spatial
8 planning needs to ensure that that management
9 jurisdiction is retained, that, much like
10 Massachusetts, their ocean planning model
11 doesn't affect fisheries management.

12 MS. FOY: May I comment at this
13 point? So what you're trying to do is you're
14 trying to make sure that marine spatial
15 planning does not preempt the council process
16 and the council management?

17 MS. DOERR: Yes, yes, yes. She
18 condenses what I said very nicely, --

19 MS. FOY: Yes.

20 MS. DOERR: -- that it is a
21 planning tool --

22 MS. FOY: And not a management

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1 tool.

2 MS. DOERR: And not a management
3 tool.

4 MS. FOY: For fisheries.

5 MS. DOERR: For fisheries and
6 aquaculture and other --

7 MR. RAFTICAN: Tony?

8 DR. CHATWIN: So, although I
9 understand the concern with that statement, I
10 see a disconnect. Originally we wanted to
11 improve on a grand vision document for 2030
12 and that that would include marine spatial
13 planning as a part of it.

14 And now we're saying that it's
15 great to go ahead with marine spatial planning
16 as long as it doesn't change anything about
17 fisheries. Is that right?

18 MS. FOY: No. If I may? What we
19 are saying is that the council management
20 process will have the ultimate say in
21 management of their fisheries stocks and the
22 location of fishing, but it won't be preempted

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1 by marine spatial planning.

2 Let's say a for instance. For
3 instance, energy wants to come in and do
4 things there that it cannot preempt the
5 fishery management.

6 DR. CHATWIN: Well, they can't.

7 MS. FOY: Well, yes.

8 DR. CHATWIN: Right now they can.

9 MS. FOY: Am I getting this?

10 MS. DOERR: Yes. I'm talking about
11 the authorities that councils have under the
12 Magnuson-Stevens Act right now to manage
13 fisheries. I think they should retain that.

14 I mean, I think marine spatial
15 planning obviously comes into play should
16 energy development affect fishing grounds, but
17 it shouldn't affect the councils' ability to
18 regulate fisheries, the authorities they have
19 under Magnuson-Stevens.

20 MR. CATES: Again, you may not have
21 a fishery to manage after spatial planning,
22 but you are still in charge of managing it.

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1 MS. DOERR: Right, yes. That's
2 what I am trying to get at.

3 MR. RAFTICAN: And I think there's
4 a very fine line. So I'm not sure how you --

5 MS. DOERR: It doesn't matter which
6 version you push it in, but you get to decide
7 how you push that.

8 MR. RAFTICAN: And, again, going
9 back, two pages back, to the overview of what
10 we're saying is this should not impinge on
11 basic --

12 MS. DOERR: Yes. To me I read that
13 as everybody should work together and have
14 partnerships in coordination between all of
15 the different entities.

16 I think that's great. It's not
17 getting at my concern of preempting authority
18 under Magnuson-Stevens or whatever aquaculture
19 regulations exist.

20 MR. BILLY: Do you have a solution?

21 MS. DOERR: Yes, a proposed one. I
22 don't know. Just at the end of that first

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1 bullet, add another sentence that says, "This
2 includes" -- this will have to be finessed a
3 little bit -- "This includes minimizing
4 adverse impacts and the recognition and
5 continuance of current management regimes."

6 MS. LOVETT: "Recognition and
7 continuance"?

8 MS. DOERR: "Of current management
9 regimes."

10 MS. LOVETT: Resource management?

11 MR. RAFTICAN: Yes, yes.

12 MS. McCARTY: I actually agree with
13 you, what you said, but that doesn't really
14 say that. And I understand just you're trying
15 to cover not just marine fisheries but
16 aquaculture, whatever.

17 If it were just to measure maybe
18 even recreational, you might be able to say,
19 "Do not usurp the authority of regional
20 fishery management councils to manage
21 fisheries."

22 As it reads, it tends to sound as

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1 though you want all the current management
2 regimes to stay exactly the way they are. And
3 I don't think that is going to be possible
4 under the future reorganization of things. I
5 actually don't.

6 There is no authority now, of
7 course, to take anything away from the fishery
8 management councils. But in the future, there
9 -- well, I don't know what is going to be in
10 the future.

11 MR. RAFTICAN: Heather, could you
12 help us wordsmith that a bit, do you think?

13 MS. McCARTY: Yes. I think maybe
14 you would want to be specific and say,
15 "Regional fisheries management councils will
16 retain jurisdiction over management of
17 fisheries."

18 MS. LOVETT: In place of this?

19 MR. RAFTICAN: Yes.

20 MS. McCARTY: I think so.

21 MR. RAFTICAN: Yes.

22 MS. LOVETT: Okay.

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1 MS. McCARTY: "Regional fishery
2 management councils will retain jurisdiction
3 over the management of fisheries." You know,
4 I wrote that first bit there. And I kind of
5 tried to capture that but without getting into
6 this specific discussion, but maybe we need to
7 do that.

8 Tony, may I ask you a question?

9 DR. CHATWIN: Yes.

10 MS. McCARTY: Do you think that
11 that is inappropriate?

12 DR. CHATWIN: Well, I am trying to
13 grasp what the purpose is and what is -- I am
14 not familiar enough with marine spatial
15 planning policy recommendations to know
16 whether or not they are going to affect
17 existing authorities under management policy
18 statements. Recommendation from a task force
19 isn't going to come out and affect existing
20 authorities?

21 Can you get me the authorities
22 under Magnuson which allocate jurisdiction

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1 over fisheries to councils? That is a
2 directional process.

3 Congress is the one that is going
4 to be telling whether that authority is marked
5 by the -- it isn't an executive decision.
6 It's legislative.

7 There are a lot of other
8 authorities, not just the regional councils
9 that come under Magnuson. So you're saying
10 that within Magnuson, the authorities
11 identified in Magnuson, this one piece of it
12 we want to retain.

13 And I haven't heard a word, not
14 that I have heard everything today. I haven't
15 heard any word that is talking about bringing
16 a new entity to manage fisheries.

17 MS. McCARTY: Mr. Chairman, if I
18 may?

19 MR. BILLY: Yes?

20 MS. McCARTY: I think probably what
21 we are trying to address here is the fears
22 that people have. Right or wrong, I think

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1 that a number of people do feel that there may
2 be some attempts to take that jurisdiction
3 over.

4 And that is the fear I keep hearing
5 from commercial fishermen. I don't know about
6 recreational so much but definitely hear it
7 from commercial fishermen.

8 So I think maybe if we're making a
9 recommendation to the task force or whatever
10 -- that is what we are doing?

11 DR. CHATWIN: Yes.

12 MS. McCARTY: We may recommend that
13 they make that clear in their policy
14 statements or in their statements so that
15 people don't jump to that conclusion and have
16 those irrational fears that could I think
17 stymie the development of a reasonable policy.

18 That's how I think of it. So I'm just --

19 DR. CHATWIN: Again, I think it
20 would be much better -- and I haven't read all
21 of the other recommendations, but it would be
22 much better for us to say this is the role

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1 marine fisheries should play in marine spatial
2 planning, as opposed to saying we are afraid
3 of marine spatial planning. And so please
4 sure this aspect of the planning.

5 So it's just my approach to making
6 recommendations. It should be, how should
7 that benefit us?

8 MR. BILLY: I think we need to move
9 on.

10 DR. CHATWIN: Okay.

11 MR. RAFTICAN: Patty, you are good
12 with this? Okay. Cathy?

13 MS. FOY: I'm good with this. Part
14 of the strength of MAFAC I will remind
15 everybody is that we can say things and
16 recommend things that somebody from NOAA or
17 somebody from the Service would get on top of
18 it.

19 So we are able to address people's
20 fears and perhaps give NOAA a chance to
21 prevent --

22 MR. RAFTICAN: Is everybody good

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1 with the bullets? The Chair would take a
2 motion to include these within the
3 recommendations on marine spatial planning?

4 PARTICIPANT: So moved.

5 MS. LOVETT: Could I ask for
6 clarification? The document that was
7 previously submitted, you're creating a new
8 document to focus on --

9 MR. RAFTICAN: This will be an
10 addendum to the existing document. This is an
11 addendum. Mark, does that fly?

12 MR. HOLLIDAY: The comment period
13 for MSP is still open. So there is every
14 reason to modify your comments if you want.
15 December 9th.

16 MR. RAFTICAN: Is there a motion?

17 MS. FOY: Second.

18 MR. RAFTICAN: Discussion on the
19 motion?

20 (No response.)

21 MR. RAFTICAN: All in favor?

22 (Whereupon, there was a chorus of

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1 "Ayes.")

2 MR. RAFTICAN: Opposed?

3 (No response.)

4 MR. RAFTICAN: So carried. One
5 more slide.

6 MS. LOVETT: Let me save this.

7 MR. RAFTICAN: We'll get one more
8 frame up there in a second after Heidi saves
9 this. And the last one really was an awful
10 lot of what we were talking about earlier and
11 probably rolls very specifically with the
12 recommendations that were made in the previous
13 committee.

14 What it is is at our next meeting,
15 let's take a look at -- and it would be the
16 2010 budget, I suspect. How do we take a look
17 at that and use that as a template so that we
18 can make relatively specific recommendations
19 at the next budget rounds? And we're probably
20 looking at 2013 budget rounds because '11 will
21 be in the hopper and '12, it may even be too
22 late for 2012.

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1 But the thing is I would be happy
2 if we could do 2012, but if we are going to
3 really exercise power from this group, the way
4 you can actually exercise power is trying to
5 influence where the dollars are spent in the
6 budget.

7 I think this gets back to some of
8 the things that Tony and the others were
9 saying before. If you can make specific
10 recommendations, they're going to hold an
11 awful lot more water. And what this is is an
12 attempt for us to say, "Hey, look, if these
13 are our priorities but when you put dollars
14 signs in front of those priorities, it really
15 hits home."

16 And, again, like I said, I think, I
17 don't know that we need to vote on this one,
18 in particular, because it was pretty much
19 covered before.

20 But I for one, I think the folks in
21 the group are very much saying, let's take a
22 look at the budget. It will be difficult the

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1 first time you do it.

2 And then after that, it becomes
3 easier and easier. As you see where the
4 dollars are spent, this is the way we partner
5 with our friends at NOAA and make sure that
6 the right priorities come out.

7 The other side of this is once we
8 make a commitment to those priorities, you
9 have got a congressman. You have got
10 senators. And this is how we can actually
11 help get those dollars and make a real impact
12 down the line on our fisheries.

13 MR. BILLY: Mr. Chairman?

14 MR. RAFTICAN: Yes?

15 MR. BILLY: Isn't this subsumed by
16 what we already dealt with in terms of the
17 budget?

18 MR. RAFTICAN: I absolutely believe
19 so. Like I said, I can put this on later, but
20 I think, you know. Questions?

21 MS. McCARTY: We could just add it
22 to what we said about the budget.

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1 MR. RAFTICAN: I'm very happy to
2 add it if we want to add it. As long as it is
3 being addressed, there is no pride in
4 ownership, in authorship of this. Would you
5 --

6 MS. McCARTY: I so move.

7 MR. JONER: Second.

8 MR. RAFTICAN: Discussion on the
9 motion of adding this?

10 (No response.)

11 MR. RAFTICAN: No discussion?
12 Vote? All in favor?

13 (Whereupon, there was a chorus of
14 "Ayes.")

15 MR. RAFTICAN: Opposed?

16 (No response.)

17 MR. RAFTICAN: Thank you. Mr.
18 Chairman, thank you very much.

19 MR. BILLY: Okay. Thank you.

20 Now let's move on to the next
21 report on the recreational fish working group.
22 Eric, the floor is yours.

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1 MR. SCHWAAB: Thank you, Mr.
2 Chairman. So this builds on the discussion
3 that we had Tuesday morning about the process
4 for establishing MAFAC as an entity to help
5 NOAA collect more recreational fishing
6 feedback information, et cetera.

7 We did in our working group
8 discussion focus primarily at this time on
9 process, not on substance of any of the issues
10 that would likely surface in the short term or
11 the longer term as issues of particular
12 importance to the recreational fishing
13 community.

14 Based on that, I have a set of
15 recommendations. And I'm passing around the
16 draft document that characterizes essentially
17 terms of reference related to this set of
18 recommendations.

19 So let me just walk through the
20 recommendations. And then we will come back
21 to this terms of reference document that is
22 being circulated.

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1 First is that there is a
2 recommendation from the existing working group
3 that MAFAC designate the current work group as
4 a standing recreational fisheries
5 subcommittee; that this new subcommittee be
6 then empowered to work with NOAA to develop on
7 behalf of MAFAC a new recreational fisheries
8 working group and to advise MAFAC in
9 accordance with the terms of reference that
10 are being circulated; and then, finally, that
11 MAFAC empower the new recreational fisheries
12 subcommittee to work with NOAA to identify
13 members and provide structure and advice in
14 support of the 2010 recreational fishing
15 summit and that would have to occur over the
16 next few months; and then to oversee any
17 follow-up roundtable discussions or other
18 follow-up items, actions that might be
19 required, reporting back to MAFAC at the
20 regularly scheduled MAFAC meetings on an
21 ongoing basis.

22 So what you have here in this terms

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1 of reference is essentially a document that
2 would articulate the charge to this new
3 recreational fisheries work group that would
4 be created.

5 Then it lists initially some of the
6 issues of current importance to the
7 recreational fishing community as essentially
8 fodder for our work and fodder for planning
9 for that recreational fishing summit and then
10 further articulation of the role of the
11 working group as well as the way in which the
12 working group would be constituted. And that
13 is in the very last paragraph.

14 Probably the point around which we
15 had the greatest debate was this question of
16 how many people should constitute the working
17 group and then ultimately to be determined,
18 the role that the working group plays as sort
19 of the core participants in the recreational
20 summit initially and then continuing as kind
21 of a standing advisory committee over time.

22 Heather?

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1 MS. McCARTY: What's the working
2 group called?

3 MR. SCHWAAB: Well, the working
4 group would be appointed by MAFAC on advice of
5 the -- that's if you accept our recommendation
6 to establish a standing recreational fishing
7 subcommittee.

8 MS. McCARTY: So can I draw a
9 diagram? It's like MAFAC, the recreational
10 fishing subcommittee, --

11 MR. SCHWAAB: Correct.

12 MS. McCARTY: -- and then the
13 recreational fisheries working group?

14 MR. SCHWAAB: Right.

15 MS. McCARTY: And the advice moves
16 this direction?

17 MR. SCHWAAB: Correct. I think the
18 only place where it gets a little tricky is
19 that the timing of planning and delivery of
20 the summit might require either -- would
21 require one of two things to happen, either
22 MAFAC to empower the subcommittee to appoint

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1 the working group on its behalf or we would
2 have to have some kind of a special meeting so
3 that the working group could be constituted in
4 time to meet NOAA's timetable for the summit
5 initially. I guess what we are suggesting is
6 the former, but we wouldn't object to the
7 latter.

8 Tom?

9 MR. BILLY: We are three years out.

10 This is all in place. How do you see this
11 working as a practical matter? I mean, we
12 have a MAFAC meeting, full Committee meeting.

13 MR. SCHWAAB: Right.

14 MR. BILLY: And then as part of
15 that, we have a meeting of the subcommittee,
16 Marine Recreational Fisheries Subcommittee.
17 Where does this working group then fit into
18 that? Will it meet on the margin before the
19 MAFAC meeting or be available to the
20 subcommittee during its deliberations? Just
21 give me some sense of what you're thinking.

22 MR. SCHWAAB: I think the working

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1 premise is that, at a minimum, it would meet
2 on the margins but that it would also, in all
3 likelihood, have intervening gatherings,
4 either in person or electronically. And the
5 immediate example of that would be in the
6 summit setting.

7 MR. BILLY: And then my second
8 question is I guess more to Mark or someone.
9 I think I heard you say that the MAFAC would
10 appoint the members of this working group.
11 Does MAFAC have the authority to do that?

12 MR. HOLLIDAY: That's the model
13 that has been used for the science advisory
14 board, MAFAC in consultation with a panel, an
15 expert working group to advise the Committee.

16 The science advisory board charter does say
17 explicitly that the science advisory board has
18 the authority to do that, but there is nothing
19 in law that they have that we don't already
20 have on the FACA. Under the Federal Advisory
21 Committee Act, we have the authority as a FACA
22 charter group to empanel expert working groups

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1 to support the terms of the whole Committee.

2 MS. McCARTY: May I suggest --

3 MR. BILLY: Okay.

4 MR. SCHWAAB: Dave first and then
5 --

6 MR. WALLACE: Doesn't the national
7 advisory committee that Gordon is going to put
8 together essentially do the same thing?

9 MR. SCHWAAB: Well, this would be
10 that Committee.

11 MR. WALLACE: Oh, I guess I missed
12 that because originally I thought that that
13 was going to be a NOAA advisory committee on
14 recreational. And so MAFAC is then going to
15 be able to come in, and it is going to come
16 under our auspices?

17 MR. SCHWAAB: Right.

18 MR. WALLACE: Okay. I missed that
19 point. I'm sorry.

20 MR. SCHWAAB: Yes. Go ahead.

21 MR. HOLLIDAY: NOAA cannot empanel
22 a group of advisers to arrive at a consensus

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1 without it being a FACA group committee.

2 So Gordon or no one else in the
3 Fishery Service can go out and get 12 people
4 and form a group and say, "These are my
5 advisers." That is illegal.

6 MR. WALLACE: Okay.

7 MR. HOLLIDAY: So it has to be a
8 FACA-approved group. So, rather than try to
9 justify an additional FACA group that provides
10 NOAA and the Secretary with policy advice on
11 living marine resource stewardship issues, he
12 said, "Well, let's see if we can work it as an
13 entity under the existing body that is
14 providing that policy advice."

15 MR. WALLACE: I just missed that.
16 That's fine.

17 MR. SCHWAAB: Heather?

18 MS. McCARTY: I was just wondering
19 about funding issues. The working group all
20 gets funded through federal funds through the
21 MAFAC, whether they pay their own way or
22 anything like that?

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1 MR. SCHWAAB: Yes. I mean, I think
2 the working assumption is that there will be
3 supplementary funding to support the working
4 group, but those are some of the logistics
5 that we need to work out.

6 MR. CATES: I just want to be
7 clear. Is MAFAC asking this or is NOAA asking
8 MAFAC?

9 (Laughter.)

10 MR. CATES: There is a difference.
11 Are we telling NOAA this is what we want or
12 is NOAA suggesting that this would be the
13 correct avenue?

14 MR. SCHWAAB: I think that at some
15 level, NOAA is asking us to assume this role
16 and to play this role. But, I mean,
17 ultimately it is the decision of this
18 Committee whether to take that on or not.

19 The recommendation of the working
20 group is that we --

21 MR. BILLY: To that point, though,
22 it certainly from my point of view is

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1 consistent where MAFAC has been and continues
2 in terms of recreational fisheries.

3 The notion that we have this expert
4 advisory group to assist MAFAC, let alone
5 NOAA, in our work is to me very positive. I
6 think it is good. We can do a better job.

7 MR. SCHWAAB: Tom and then Heather?

8 MR. RAFTICAN: I'll go along with
9 Tom. Again, this is what I think came out in
10 the meeting is the fact that for a long time,
11 MAFAC has -- we have kind of gone back and
12 forth on our relevance to NOAA.

13 And what this is is just simply
14 saying, "Hey, look. We've got something here
15 that could be of great value to NOAA." NOAA
16 is looking at the same time for something, for
17 a piece that fits. So, instead of having them
18 say, "Do this," we're going, "Hey, look.
19 We've got one that fits" and slide it in
20 there.

21 It's a little bit preemptive, but
22 that is what leadership is about.

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1 MR. SCHWAAB: I'm sorry. Heather?

2 MS. McCARTY: No. You go ahead if
3 you have a response. No? You don't? Okay.
4 I was just going to say I like the idea of
5 making the working group, the current working
6 group, into a standard subcommittee. So I
7 think that is kind of a done deal.

8 As far as the working group, the
9 new working group that you are suggesting, I
10 am not as sure that it should be a permanent
11 situation because I think that is a really big
12 group, 25 people. And I am not sure that
13 there is always going to be a need for it. I
14 could be wrong.

15 So that is one concern I have.

16 The other concern I have is MAFAC
17 appointing them. I don't know whether I am
18 comfortable with that. I don't know whether
19 that is the way it should be.

20 I just put that out for discussion.
21 I am just trying to imagine the pushes and
22 pulls on MAFAC and the factions. I don't

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1 know. It just seems like a very difficult
2 job. It's hard to do.

3 MR. SCHWAAB: Yes. I think, just
4 to respond to that, I mean, I think you are
5 right. It is a significant responsibility.
6 But I am not sure that if we are going to take
7 this on, that there is any other way to
8 legitimately constitute the group without it
9 being a group appointed by MAFAC.

10 MR. WALLACE: You know, MPA
11 advisory, the term is up. And I am still on
12 it. They have a number of -- he was a
13 committee chair -- where they want to study an
14 issue. And so they invite, the MPA committee
15 invites, a group of experts to come in and
16 build a workshop and tell us what they think
17 of a particular technical issue that we are
18 dealing with.

19 And so I see this as the same. And
20 I guess I am not uncomfortable with having it,
21 just not a three-day workshop but a three-year
22 term, because you only convene them when you

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1 need their advice. It's not like that you are
2 getting continuous advice from them over a
3 three-year period.

4 The way we typically do it in MPA
5 is we come up with a series of questions that
6 we want to address. And then we convene a
7 group to deal with those particular issues.

8 MR. CATES: I have a couple of
9 concerns with this I want to bring up. One, I
10 come from a world where you always had to
11 remind what your mission statement was. In
12 DIA, it was very easy to get sidetracked. And
13 pretty soon you're facing not only a lawyer
14 who is asking you a bunch of questions but
15 works for the government.

16 So when I read our objectives and
17 duties for MAFAC, it says, "Item number 1.
18 The Committee will advise the Secretary of
19 Commerce, the Secretary."

20 And what I am hearing is creating a
21 committee that is going to be advising NOAA.
22 That is why I asked, is this something that

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1 NOAA wants us to do, something MAFAC wants to
2 do because are we getting sidetracked from our
3 duty, our contract, what we are tasked to do?

4 I think that is something we should think
5 about.

6 MR. SCHWAAB: Tony?

7 DR. CHATWIN: Thank you.

8 I have chaired several other -- I
9 didn't say this in my opening, but I was on
10 the MPA FAC six years. I chaired several
11 subcommittees there. And the input from
12 external experts always helped our work. So,
13 in that light, I see this favorably.

14 What, again, I am looking at is on
15 the clarity of expectation, that this working
16 group is indeed going to focus on advising us,
17 as opposed to providing advice to other
18 entities.

19 In the first paragraph, it says
20 that we'll focus. Let me see. "We'll provide
21 advice and direction through us." Then on the
22 second paragraph, it talks about "charged with

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1 ongoing dialogue." I am not sure who that
2 dialogue is and how much is going to go
3 through us in terms of -- and then "enhanced
4 communication with external partners and
5 stakeholders."

6 I think it is a case where we have
7 said there is an issue dealing with the board
8 of directors in the community, and that is
9 appropriate. But it can be read as this is a
10 body that is going to be constituted in place
11 for three years and that they are going to go
12 and work on behalf of the Committee. So I
13 have a bit of concern about this, the
14 expectations.

15 And then another concern that I
16 have is in paragraph 3, when the -- I know
17 this is missed, that we may ask the working
18 group to do. But one that jumped at me as
19 questionable as to whether it is appropriate
20 for this form is on the issue of quota
21 allocation.

22 A minute ago we talked about how

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1 fisheries management council should retain
2 authority over managing the fisheries. And I
3 know that "quota allocation for recreational
4 and commercial fishing" is something
5 controversial and near and dear to the hearts
6 of many people around the table.

7 But the council is the place where
8 that quota discussion happens. And so I would
9 hate to see us getting into a position where
10 we are now making the FACAs -- ask the working
11 group to come up with a recommendation for
12 quota allocation. And that comes back to us
13 as this fishery meets in recreational
14 fishermen to get X quota.

15 I just don't think that is our
16 place. So I would like to see that stricken
17 from paragraph 3 as not really an appropriate
18 place for MAFAC input.

19 I am not taking sides on who should
20 get quota here. It is just I don't want to
21 take sides.

22 MS. FOY: Thank you, Eric.

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1 I would like to second Heather's
2 comment that I do support a working group for
3 recreational fish being a subcommittee of
4 MAFAC.

5 PARTICIPANT: Speak up. We can't
6 hear you.

7 MS. FOY: Sorry. I do support the
8 creation of a permanent subcommittee
9 designated to recreational fishing issues.
10 And I understand that NMFS is emphasizing
11 recreational fish and try to address issues
12 from the recreational fish community for the
13 creation of the recreational -- the head of
14 our fish, Jim.

15 I'm wondering if this advisory
16 group or working group or whatever wouldn't
17 better report to him than through us.

18 MR. SCHWAAB: To whom?

19 MS. FOY: To whoever is hired under
20 the new position. Tomorrow?

21 MR. SCHWAAB: Well, I think the
22 point is that --

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1 MS. FOY: I am just not sure I
2 agree with the organizational structure.
3 Maybe I'm not -- I see this turning into a
4 divisive element in MAFAC, maybe, maybe.

5 MR. BILLY: Eric, I think Mark
6 wanted --

7 MR. HOLLIDAY: I had a point to
8 Tony's aggravation about what was meant by
9 quota allocation. I didn't write it, but my
10 understanding is it was not seeking advice
11 from an external group on how much should be
12 gotten by one group versus another as with
13 regard to what are some of the policy
14 implications of quota allocation measures or
15 means that are currently in place, are allowed
16 under the Magnuson Act, for example. It was
17 not intended to ask, how much should the
18 recreational sector, red snapper fishery get?

19 It's more of a policy level of what
20 are the criteria that are currently used and
21 are allowed under the Magnuson Act for making
22 allocation determinations? Are they adequate?

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1 Are they inadequate? Do they need to be
2 changed? Are they fine the way they are but
3 not getting in the business of what regional
4 councils do, which is making allocations? I
5 think there is a distinction.

6 That was intended by what we
7 obviously are trying to do.

8 MR. SCHWAAB: Martin?

9 MR. MARTIN FISHER: Thank you, Mr.
10 Chair.

11 I agree with both Mark and Tony. I
12 do feel that that should be stricken from the
13 paragraph, however, because if you get 25
14 recreationally interested people in the same
15 room and you have the words "quota allocation"
16 as something for them to deal with, that is
17 exactly what it is going to turn into.

18 I am a little bit uncomfortable not
19 with the concept of the subcommittee but the
20 creation of this body reporting to us because
21 as soon as the commercial community hears
22 about this, they're going to say, "Why don't

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1 we have one of ours?"

2 Perhaps the aquaculture community
3 is going to say, "Why don't we have our
4 working group? Why don't we have 25 experts
5 reporting to MAFAC?"

6 I am not speaking against the
7 notion. I think it is a great idea. But I am
8 a little bit uncomfortable. I don't feel like
9 I have enough time right now in the next hour
10 to digest this, understand the full
11 ramifications of it, and how it will trickle
12 down into the community.

13 It would be my preference to think
14 about this. We only have a couple of months
15 until the next meeting unless there is some
16 driving time force for it.

17 That is where I am at. I would not
18 want to have to vote on this today.

19 MR. SCHWAAB: I think just to
20 respond to the scheduling issue, the driving
21 timetable is the desire on the part of the
22 administrator to have this recreational

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1 fishing summit in late winter, early spring.

2 And essentially the request that is
3 on the table is from NOAA asking MAFAC to
4 essentially assume this role of creating this
5 working group that will form the nucleus of
6 participation at that recreational summit and
7 then carry forward from there with issues and
8 processes that might evolve.

9 So ultimately, I guess, the
10 question is really going to be, are we
11 comfortable in playing that role or not?

12 MR. MARTIN FISHER: Well,
13 practically speaking, if what you just said is
14 the time line, how in the world are we going
15 to appoint these people and get this together
16 between now and the next meeting? What would
17 be the process for that to happen?

18 MR. SCHWAAB: That's why it is a
19 recommendation, which is not -- I can sort of
20 articulate the choice, which would be to
21 either have MAFAC test the new recreational
22 subcommittee with or empower the recreational

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1 subcommittee with naming that group or to
2 create some mechanism by which we would bring
3 a recommendation back to some interim meeting
4 of the Committee. If we went in that
5 direction, obviously we would have to work out
6 the logistics of that.

7 Dave?

8 MR. WALLACE: Yes. You know, I
9 recognize the timeliness of the essence of
10 this. And I didn't realize how much timing
11 is, how important timing was until it actually
12 -- and so I am quite willing to support a
13 motion that accepts this document.

14 I would, however, like to see that
15 number 3 in the third paragraph dropped out,
16 which is the quota allocation, and renumber
17 catch and effort data number 3 and just to
18 take that out because I think that if this
19 were going to be a commercial fishing industry
20 group and I were a member, I would surely
21 focus on that first thing. And I would
22 interpret it, what is our share going to be?

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1 And I don't think by taking it out,
2 it is going to have any impact on how that
3 group operates. I just don't see them being
4 hamstrung by that.

5 MR. SCHWAAB: Was that a motion?

6 MR. WALLACE: I should make that a
7 motion.

8 MR. SCHWAAB: Just before you do --

9 MR. WALLACE: Let Tom go ahead. He
10 had his hand up for a long time.

11 MR. BILLY: Well, I see the
12 three-year appointments and the notion that
13 they would be rolling. Would it be worthwhile
14 to put a time limit on this working group of
15 three or five years or something with the view
16 that it could be extended for another similar
17 period or whatever?

18 MR. SCHWAAB: Would you like to
19 comment on that, Mark?

20 MR. HOLLIDAY: Just for your
21 information, in other federal advisory
22 committees, there are two types of working

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1 groups that they have: one of standing, which
2 are for limited duration with rotating people
3 on and off. Others are more project-oriented.

4 They are there for 18 months, 2 years. Here
5 are the terms of reference. They complete the
6 project. Then they go away.

7 So there are two types of
8 approaches to it. One is task-oriented. One
9 is sort of a standing group of people who are
10 available throughout a longer period of time.

11 MR. BILLY: Part of my thinking is
12 that whatever that time is, it both would make
13 this more task-oriented to a specific set of
14 projects that it would carry out or be
15 involved in, plus it would provide an answer
16 to others that might be interested in similar
17 things in the sense that, well, this is a
18 finite duration working group to carry a set
19 of assignments.

20 MR. SCHWAAB: Tom?

21 MR. RAFTICAN: These two guys said
22 it. What I was going to say is it answers

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1 very I think specifically where Martin was
2 going, the fact that, instead of putting up a
3 new permanent group, you have got something
4 that is much more ad hoc.

5 And I know if the shoe were on the
6 other foot and it were setting up a permanent
7 commercial fishing working group, you know, it
8 may be a good concept, but I have got a lot of
9 explaining to do. And I can see where he
10 would be the same way. And this might take
11 some of the --

12 MR. SCHWAAB: Heather and George?

13 MS. McCARTY: I'm kind of torn on
14 this. I think it elevates the importance of
15 MAFAC in one sense. On the other sense, I
16 kind of feel like I am being used, you know.

17 And I actually have to say that I
18 think it would have been really, really nice
19 if this were a big plan afoot by whoever. It
20 would be really, really nice for at least the
21 Executive Committee and probably the entire
22 Committee to have known about it well in

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1 advance of the meeting.

2 I really don't think it is
3 appropriate to take this kind of action
4 precipitously because I think it is huge. And
5 I think it is bigger if it is a permanent
6 group. And I don't think it ought to be a
7 permanent group. I said that earlier.

8 I think there are a number of
9 issues. One of them is the whole rec fish,
10 com fish thing. You know, we obviously need
11 this kind of advice. I think NOAA wants this.

12 I understand why they can't constitute a new
13 group on the spur of the moment. I know why
14 they want to use MAFAC to do it.

15 But I think MAFAC needs to set the
16 terms. And I think the terms need to be
17 different than is in this paper. And it would
18 be nice, therefore, to have had a little
19 advance notice.

20 I mean, the first I heard about it,
21 just so everybody knows, was yesterday in an
22 e-mail -- I think it was yesterday -- that

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1 Mark sent out saying this is what we have been
2 talking about because I am not on the rec fish
3 group.

4 MR. SCHWAAB: We discussed it in
5 the --

6 MS. McCARTY: In the rec fish
7 group.

8 MR. SCHWAAB: No. We discussed it
9 at length in the plenary on Tuesday morning.

10 MS. McCARTY: Oh. I must have been
11 unconscious.

12 (Laughter.)

13 MR. SCHWAAB: Gordon's
14 presentation, my lead-in.

15 PARTICIPANT: I think we were all
16 unconscious.

17 MR. JONER: It didn't soak in.

18 MR. SCHWAAB: George?

19 MR. NARDI: Well, I just wanted to
20 say that I appreciate Tom's points just a
21 minute ago because that is exactly how I was
22 feeling when I heard this. I was like "Well."

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1 And when Dave mentioned about, you
2 know, the advisory role of a group is great
3 because no one industry here has all
4 representation that is really needed and we
5 can always fill in the gaps.

6 So I was a bit surprised when I
7 kind of read it a second time and saw a
8 working group of 25 people. I'm like, "My
9 gosh. We're only 25 people." And it kind of
10 hit me.

11 And I thought, geez. I appreciate
12 that because the shoe is on the other foot
13 over here. And I'm like "Wait a minute. The
14 whole board is like slanting."

15 But I do see the need. And I
16 appreciate the need. But I have to go on
17 record to oppose the permanent group. But, as
18 others have said and Heather, definitely a
19 subcommittee.

20 MR. SCHWAAB: Martin?

21 MR. MARTIN FISHER: To me, the
22 solution is put it back in the hands, right

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1 smack dab hock it to the back in the hands of
2 NOAA. And give it to the regional councils.
3 This is a place for the ad hoc advisory panels
4 to work at the regional level.

5 There is no reason why each council
6 couldn't create their own AP ad hoc, get all
7 of their experts together regionally, and then
8 report directly to NOAA, which is the process.

9 The other thing I wanted to say is,
10 how long does it take to vet applicants for
11 MAFAC? It is like a five-month process?

12 MR. HOLLIDAY: Those are
13 secretarial appointments. Those were not the
14 process people would be --

15 MR. MARTIN FISHER: Okay. But we
16 would still need to gather information. We
17 read about these people. How are we going to
18 make that choice?

19 We are actually voting on the
20 membership of this Committee. I am kind of
21 uncomfortable with that. It sort of goes to
22 what Pamela was saying. And excuse me for

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1 being remiss and bringing this back in. She
2 wanted me to just say to the panel that she
3 didn't want anybody to feel like she was
4 leaving out MAFAC in her response to the
5 previous motion.

6 So that said, but what she did
7 bring out is that she feels like a
8 representative of a community in Florida
9 because that community in Florida has singled
10 her out as a representative because she sits
11 on this panel. I don't have that problem.
12 She does.

13 If we start choosing who is and who
14 is not on this work group, I am going to be
15 afraid to go home.

16 MR. SCHWAAB: Terry?

17 MR. ALEXANDER: Well, I represent
18 the commercial fishing industry. This does
19 not bother me as long as this is an advisory
20 panel to MAFAC and we get to sort out what the
21 recommendations are then pass on the
22 recommendations. And so I guess I am not that

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1 terribly concerned.

2 The only thing that I had to say is
3 that obviously this will go forward simply
4 because the administration wants it to. And
5 if we don't do it, then they can go have Steve
6 Murawski convene his group and go through
7 them.

8 What it is going to do is going to
9 have the aquaculture folks and the commercial
10 folks say, "How come we don't have the czar of
11 commercial fishing? And how come we don't
12 have a czar of aquaculture? And how come we
13 don't have a czar of the environmental
14 community who wants to protect it?"

15 And so we can find ourselves right
16 in the middle of listening to a whole series
17 of experts on a number of different issues in
18 the future.

19 I think that we ought to move this
20 forward, but I wish we had had a lot more time
21 just in writing to consider it.

22 MR. SCHWAAB: Tony?

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1 DR. CHATWIN: I support lumping the
2 commercial and recreational fishing together
3 to provide input to us to deliberate on advice
4 to the Secretary. I think it is important.

5 I wouldn't want to be put in the
6 position of having to vote. I think that, as
7 I heard you explain, the urgency here is
8 because we want these to be able to
9 participate in the summit and that we could
10 identify panelists.

11 Under the FACA, you can identify
12 panelists -- and it would be any number of
13 panelists -- to discuss an issue and provide
14 input to us without having set up this meeting
15 at this time.

16 I would like to see how that works
17 and what sort of advice we get from it, then
18 decide whether or not we think it should be an
19 affirmative entity.

20 Frankly, I would like to see that
21 happen with other topics that we discussed.
22 So I want to see this exclusively on the

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1 record for fishing and approach the
2 recreational fishing and approach the MAFAC
3 for them to take to various other topics.

4 It's just the idea of, as I
5 understand it, because we want these people to
6 participate in a summit, we want to think we
7 need to create this structure.

8 So I think we can accomplish both
9 goals.

10 MR. SCHWAAB: Jim? That's an
11 excellent point. And then I'm going to go in
12 this direction.

13 VICE CHAIR BALSIGER: I'm not sure
14 I should interject here, but I'll try to.
15 What happened was the leaders in the
16 recreational industry in this country went
17 down to Dr. Lubchenco's office.

18 They were dissatisfied with the
19 attention they were getting from the Fisheries
20 Service, from NOAA. They were unhappy and
21 dissatisfied with the way their positions are
22 represented on fish management councils.

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1 That met a sympathetic ear in Dr.
2 Lubchenco's office. And so she agreed to do
3 several things for them. One of them is to
4 appoint this person who is going to be a
5 special assistant on recreational issues as a
6 liaison.

7 She agreed that she would support a
8 recreational summit in the near term, which is
9 -- Gordon knows this better than me -- in
10 February maybe or March or something like
11 that.

12 And nobody knows how to put it
13 together that quickly. So she wanted advice
14 from someone on how you would establish a
15 summit, where you would have it, who would be
16 invited, what the panels would be, what the
17 topics ought to be. And one group that might
18 be able to contribute to that is MAFAC, tell
19 us now to do that.

20 So absent the attention or the time
21 at this meeting or the interest of the whole
22 MAFAC group to say, "Here is how to do a

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1 summit. Have it in Fort Lauderdale on George
2 Washington's birthday and consider everything
3 from bait prices to boat motors," she wanted
4 advice on what ought to be done on that.

5 So that is how this came here. And
6 so as a little bit of background, she was
7 looking for some help. MAFAC can't get that
8 done. And Gordon will probably have to do it
9 himself working with the new recreation fish
10 person that comes on. That is kind of the
11 background of why it became urgent.

12 It doesn't work well with the
13 timing of the MAFAC meetings. I guess I
14 should have known that first, but it is
15 becoming apparent now. Nonetheless, I think
16 you could lend advice if you wanted to.

17 I understand your arguments and
18 issues here. So I am not making a case, but
19 that is kind of a background.

20 MR. SCHWAAB: Patty?

21 MS. DOERR: Thank you for blaming
22 us again, appreciate it.

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1 (Laughter.)

2 MS. DOERR: I mean, I totally
3 understand where everybody is coming from on
4 this. I wanted to speak directly, Martin, to
5 your comment about throwing it back to the
6 regional council.

7 MR. MARTIN FISHER: Yes.

8 MS. DOERR: My concern with that
9 would be there is a good, solid handful of
10 very substantive issues that are national.
11 They have regional implications, but they are
12 nationally based. And so that is why we have
13 been pushing this at a national level, this
14 being kind of the focus on recreational issues
15 at a national level.

16 And so if you push it back into the
17 regions, you are going to miss the larger
18 picture with data collection and recreational
19 fishing statistics and catch shares, which is
20 a region-by-region thing, but it is national
21 at the same time in the impact.

22 So we would have serious concerns

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1 with doing it that way. I think there is a
2 lot that will come out of the summit at a
3 national level that will trickle down and have
4 regional implications and impact each of the
5 regions differently.

6 And I think that is when the rec
7 advisers on the regional councils come into
8 play.

9 MR. SCHWAAB: I have Randy, then
10 Tom, then Bill and Heather. And then maybe we
11 need to move on, Mr. Chairman.

12 MS. McCARTY: I'm going to make a
13 motion.

14 MR. SCHWAAB: Oh, good. You are
15 last.

16 MS. McCARTY: Thank you.

17 (Laughter.)

18 MR. SCHWAAB: Randy?

19 MR. CATES: Jim, thanks for the
20 explanation. That clears up a lot. I mean,
21 that makes sense to me, what you just
22 explained.

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1 So my question is, one, can MAFAC
2 do that under our charter agreement? Is it
3 under our authority? That would be the first
4 question.

5 And then I would say that we have
6 an opportunity. We finally have the
7 administrator asking advice and support from
8 us. But what I read here and what you just
9 described to me are night and day.

10 I mean, to help organize a meeting,
11 I don't think we need to appoint 25 members
12 and a committee for 3 years. Am I missing
13 something?

14 I mean, if what the Chairperson is
15 asking is "MAFAC, you already have a
16 recreational committee. You would know
17 possibly the issues. We want to create the
18 summit in this meeting. We need help in doing
19 this," that is what I kind of heard.

20 VICE CHAIR BALSIGER: Well, I think
21 my issue that I laid out would be one of a
22 whole variety of issues that the working group

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1 might provide advice on over time, time frame.

2 MR. CATES: Would this working
3 group report to MAFAC or would the working
4 group report to another entity?

5 VICE CHAIR BALSIGER: I think,
6 Randy, the --

7 MR. CATES: Yes. I am fine with
8 that.

9 MR. SCHWAAB: Yes. I think the
10 group up to 25 was envisioned to be sort of
11 the core of participants at the summit and
12 that there would be, then, follow-up work,
13 which is why the longer-term vision. I always
14 think we can address that as we see fit. But
15 let me just go --

16 MR. CATES: They're working for us.

17 MR. SCHWAAB: Yes, right. Tom?

18 MR. RAFTICAN: There are a number
19 of issues on the table here. And, again, had
20 we had a little more time, some of these
21 things could have been ironed out pretty well.

22 I understand time is of the

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1 essence. One thing, in particular, on the
2 time line is the applications for the new
3 assistant close tomorrow, if I'm not mistaken.

4 If I am the new assistant coming in
5 and I find that there is a 25-member panel
6 that has just been appointed to kind of focus
7 the direction, if it was appointed a year ago,
8 I wouldn't have a problem. But if it was
9 appointed two weeks ago, it is kind of like,
10 do you want me to leave this or follow this?

11 I think that there is a courtesy
12 that probably should be extended to any new
13 person going in there to that office for at
14 least input on this.

15 I know the time line is tough. But
16 I would go back and actually think of moving
17 the summit a month or so down, looking for the
18 new person coming in.

19 We did a pretty good job of putting
20 together conference calls or maybe even local
21 meetings on this within the recreational
22 fishing group. Get that together.

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1 Maybe it's in December sometime
2 with the new administrative assistant for
3 recreational. And sit down and go from there.

4 And at that point, we run it by
5 everybody else in the group. But at least it
6 gives the rest of MAFAC a month or so to look
7 at something like that.

8 And, you know, we have been
9 fighting here. The other thing is we have
10 been fighting here for years to get relevance
11 with the leadership of NOAA and Commerce. And
12 now the first thing we are doing is kind of
13 punting on it.

14 But I think with something as
15 important as this, maybe 30 days makes sense.

16 PARTICIPANT: Just a point of
17 clarification. You have the acting senior
18 recreational adviser sitting behind you.

19 MR. RAFTICAN: I understand that.

20 PARTICIPANT: So it seems to me --

21 MR. SCHWAAB: Bill and then
22 Heather.

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1 MR. DEWEY: I would like to make a
2 motion.

3 MR. SCHWAAB: Heather was already
4 in line to do that.

5 MR. DEWEY: Heather is in the queue
6 for a motion. I don't want to --

7 MS. McCARTY: Go ahead.

8 MR. DEWEY: Based on Jim's comments
9 -- and I'm sorry. I was at the plenary, but I
10 didn't catch this myself. I must not have
11 been paying attention. I am getting it now,
12 and it just concerns me that we're setting up
13 this permanent working group.

14 If the mission is to help get the
15 summit together, it would seem to me that the
16 rec fish reps on MAFAC would want to step
17 forward and work with NOAA and this new deputy
18 to make this happen.

19 I don't know that you need a team
20 of 25 people to help do that, but it just --

21 MR. SCHWAAB: Again, it's up to 25.
22 And I think that premise was that that would

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1 be sort of the core of participants at the
2 summit and that there would be an expectation
3 that there would be some issue-based or
4 regionally based follow-up discussions that
5 might be tasked coming out of the summit.

6 And that's why the up to 25 and the
7 longer term was envisioned. But that is open
8 to discussion. And, Heather, you are going to
9 make a motion for us --

10 MS. McCARTY: Yes.

11 MR. SCHWAAB: -- and clean all of
12 this up?

13 MS. McCARTY: Yes, right. I'm
14 having a hard time because I am learning a
15 little bit more every time you speak.

16 (Laughter.)

17 MS. McCARTY: Part of what I just
18 learned is that you are imagining these 25
19 people to be the core representation at the
20 summit. That means that -- okay.

21 Let me just put this together with
22 the FACA thing. You want that summit to be

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1 able to provide advice but in kind of a closed
2 system to NOAA.

3 MR. SCHWAAB: I don't know if you
4 had a perfect closed system, but --

5 MS. McCARTY: Well, I mean, that's
6 the whole FACA, non-FACA issue, isn't it, in a
7 sense? I mean, why? I have to ask this
8 question. Why are you anticipating that these
9 25 people would be the core of the summit?
10 Isn't that what you just said?

11 MR. SCHWAAB: Yes, yes. I said it
12 several times. So I'm surprised you only
13 heard it just the last time.

14 MS. McCARTY: I was unconscious.

15 (Laughter.)

16 MR. SCHWAAB: I had nothing to do
17 with the schedule.

18 I think that's right. I don't
19 know. You know, I don't really want to bring
20 Gordon into this, but maybe we will on that
21 point because it's a fairly --

22 MR. COLVIN: I thought we'd

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1 envision for certain that if this approach, if
2 it meets with everyone's approval, that we
3 would want to make sure that what would become
4 the membership of the current working group
5 that becomes a subcommittee and the extended
6 group that would become the working group
7 would constitute, as you put it, the core
8 participants in the summit.

9 I think that we will undoubtedly
10 reach out to and include broader
11 constituencies in our invitation to the
12 summit. There is no reason for us not to do
13 that.

14 But when we proceed to the next
15 step, as you put it very relevantly, that what
16 follows from a summit in some measure will be
17 determined by the dialogue at the summit.

18 But what was envisioned in the
19 administration announcement is roundtables and
20 perhaps some other ways to follow up. We
21 would like to have those key people involved,
22 very much involved, in helping us move forward

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1 so that at the end of the day, you're in a
2 position to render advice through MAFAC to the
3 agency.

4 MS. DOERR: Would "core organizers"
5 be a better term than --

6 MR. COLVIN: Maybe that is a good
7 word. I like that.

8 MS. DOERR: "Core organizers" kind
9 of?

10 MR. COLVIN: Yes.

11 MS. DOERR: Almost like a steering
12 committee for putting the summit together --

13 MR. COLVIN: Yes.

14 MS. DOERR: -- to make sure it
15 represents, the summit itself represents, a
16 broad spectrum of recreational issues.

17 MS. McCARTY: I'm going to take a
18 shot at a motion. And I don't have any pride
19 of ownership. I just want to get this changed
20 a little bit.

21 Number one would be move that the
22 current recreational fisheries working group

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1 of MAFAC be designated as a standing
2 subcommittee. That is number one; number two,
3 "MAFAC also create a recreational, an ad hoc
4 recreational, fisheries working group for a
5 term of one year, to: a) form the core
6 organizing group for a recreational fisheries
7 summit, anticipated in early 2010; and,
8 further, building" -- I'm looking at the third
9 paragraph -- "upon the recommendations and
10 priorities articulated by the MAFAC
11 Recreational Fisheries Subcommittee, the
12 recreational fisheries working group will
13 advise MAFAC on issues of importance to the
14 recreational fishing community, including, but
15 not limited to, one, the ocean policy task
16 force report; two, review and possible
17 revision of a NOAA recreational fisheries
18 strategic plan; three, marine spatial
19 planning; and, four, catch share policy.

20 "The list can be modified over time
21 in consultation with MAFAC," period.

22 MS. FOY: May I offer a friendly

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1 amendment before it goes to vote?

2 MS. McCARTY: Patty was just asking
3 if I could repeat it.

4 MR. BILLY: I want to second it,
5 the vote.

6 PARTICIPANT: You're not supposed
7 to second it.

8 MS. FOY: Can you just read the
9 list again?

10 MS. McCARTY: I'm taking from the
11 third paragraph, "Building upon the
12 recommendations and priorities articulated by
13 the MAFAC Recreational Fisheries Subcommittee,
14 the RFWG will advise MAFAC on issues of
15 importance" -- I actually prefaced that with a
16 third there after I already talk about the
17 summit -- "including, but not limited to, the
18 ocean policy task force report; two, review
19 and possible revision of a NOAA recreational
20 fisheries strategic plan; three, marine
21 spatial planning; and, four, catch share
22 policy."

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1 "The list can be modified over time
2 in consultation with MAFAC or by MAFAC,"
3 period. "The list can be modified over time
4 by MAFAC."

5 Now, if I could speak to it for a
6 second? I think that what I am hearing is
7 that people are excited about the idea of
8 MAFAC having this opportunity to help do part
9 of what their mission is for NOAA.

10 And that part of this is also a
11 need that NOAA has for help with the summit.
12 Part of it is that we don't represent all of
13 the recreational fishing communities here.
14 And that makes complete sense.

15 And I hear that people like the
16 idea of expert groups. And I do, too. I like
17 the whole idea. I just don't like the idea of
18 going into perpetuity and having sort of
19 similar goals or jobs, as I believe that all
20 of MAFAC has. And I think it could usurp
21 those responsibilities of MAFAC if we give it
22 the broadest possible charge, which I think

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1 this original piece does. And I think it goes
2 too far. So that is why I limited it to what
3 I limited it to.

4 However, I think that, as I believe
5 Dave indicated, it makes sense for us to see
6 how this works. And if we feel as though we
7 need a permanent advisory group from the
8 recreational industry, then we could take that
9 further step in a year.

10 MR. SCHWAAB: Okay. So you have a
11 motion, seconded.

12 MS. FOY: Am I allowed to make a
13 friendly amendment at this time or do I need
14 to --

15 MR. SCHWAAB: Well, you can offer
16 it.

17 MS. FOY: Can I offer it? You have
18 in there -- I am going by memory, but it will
19 have a term of up to one year. Could I add a
20 clause in there, to be extended on the
21 discretion of MAFAC? That way if they have
22 issues that last for longer than one year, we

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1 don't have to visit this all again, we can
2 just extend the term?

3 MS. McCARTY: That's agreed. I
4 can't actually see that very well.

5 MS. LOVETT: Well that is, where are
6 some of the issues?

7 MS. McCARTY: I scrapped everything
8 up above that paragraph.

9 For the motion.

10 MS. LOVETT: Do you have this in
11 your column?

12 MS. McCARTY: I do not. The first
13 part of my motion was, number one, MAFAC acts
14 to change the current recreational fisheries
15 working group to a standing subcommittee --
16 that's number one -- which was part of the
17 request that I think was made orally. And
18 then, two, MAFAC appoints a recreational
19 fisheries working group.

20 And I don't think I said of how
21 many, but I think 25 is fine for this purpose,
22 of up to 25 people, for a term of one year.

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1 MS. FOY: And then there was my
2 friendly amendment.

3 MS. McCARTY: And then there was
4 your friendly amendment. And they would be
5 charged with acting as -- what was that phrase
6 that you used over here? The core organizers
7 --

8 MS. DOERR: Yes.

9 MS. McCARTY: -- along with the
10 subcommittee of the recreational fisheries
11 summit planned for early 2010 and then,
12 further. And then the third paragraph fit.
13 Yes, further building upon and then those four
14 charges. I think that was four.

15 PARTICIPANT: May I ask a question?

16 MR. SCHWAAB: Wait a minute.
17 Martin? Martin had his hand up.

18 MR. MARTIN FISHER: Thank you.
19 Thank you, Chair.

20 I would also like to offer another
21 friendly amendment that we add the words "as
22 it pertains to recreational catch share

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1 policy" or something to that effect.

2 In other words, do we really want
3 to ask the Recreational Committee to comment
4 on the commercial catch share?

5 MS. McCARTY: I think it goes
6 without saying that we don't.

7 MR. MARTIN FISHER: Okay.

8 MS. McCARTY: I think it is catch
9 share policy as it pertains to the
10 recreational --

11 MR. MARTIN FISHER: Thank you. Can
12 we add to those words?

13 MR. SCHWAAB: I think as it
14 pertains -- I mean, I don't think they are
15 separate at this point. We don't have a
16 policy in front of us. There is not a
17 separate recreational or commercial catch
18 share policy.

19 MR. MARTIN FISHER: Well, I think
20 there will be.

21 MR. SCHWAAB: Well, that I guess
22 remains to be seen.

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1 MR. MARTIN FISHER: So is that
2 acceptable to you as to make it a motion that
3 we add those words in whatever order you want?

4 MS. McCARTY: You know, Martin, I
5 have to say that I don't think we need them.

6 MR. MARTIN FISHER: Okay.

7 MS. McCARTY: I think it goes
8 without saying. I honestly do.

9 MR. MARTIN FISHER: Okay.

10 MS. McCARTY: I really do. And I
11 think it will go on record that is the intent
12 of the motion.

13 MR. MARTIN FISHER: Okay.

14 MS. McCARTY: I think that's
15 enough.

16 MR. MARTIN FISHER: Good enough for
17 me.

18 MR. SCHWAAB: Steve?

19 MR. JONER: I just have a question
20 about the word "appoint." I know it says here
21 "MAFAC appoints in consultation with NOAA
22 Fisheries." Are we actually doing appointing?

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1 We're going to have a committee
2 that actually goes through the names and --

3 MR. SCHWAAB: I think before we
4 leave this topic, we will be looking for the
5 Committee to weigh in on whether it wants to
6 task the subcommittee with that responsibility
7 or to retain that --

8 MR. JONER: I know what it says.
9 And I want to make sure appoint means appoint.

10 MS. McCARTY: Mr. Chairman, can I
11 make one more comment speaking to the motion?

12 MR. SCHWAAB: Yes.

13 MS. McCARTY: It may be necessary
14 to add this sort of explanatory business at
15 the beginning of the last paragraph up to but
16 not including "members will be appointed for
17 three-year terms" and all of that business,
18 but just the makeup of the Committee, if
19 people think it's necessary -- or the working
20 group. I'm sorry. If people think it is
21 necessary to have that sort of explanatory
22 language about the makeup of the working

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1 group, I would take that as a friendly
2 amendment.

3 MR. SCHWAAB: I think it will be
4 important to protect us.

5 MS. McCARTY: Sounds good.

6 MR. WALLACE: I agree with the
7 notion of one year. And I think that what
8 this will do is give us the opportunity to
9 have -- if we had three meetings this year,
10 the first meeting may be on catch share if it
11 ever gets released so we can talk about it so
12 we know what it says.

13 And a number of them technically
14 would have two more meetings, or at least
15 theoretically, because what that will do is
16 give us two meetings to talk about it and to
17 codify this into the long term. And so we had
18 three days to talk about it. And now we would
19 have another 360 days to talk about it.

20 That way I would be more
21 comfortable with it because I would be able to
22 understand all the ramifications.

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1 MR. SCHWAAB: Go ahead.

2 MS. LOVETT: For clarification, you
3 want everything from here deleted, correct?

4 MS. McCARTY: You know, I am going
5 to have to get closer because I can't quite
6 see what you are doing, especially when it is
7 shaded.

8 MS. LOVETT: Okay.

9 MS. McCARTY: "Can be modified over
10 time by MAFAC," period. "The list can be
11 modified over time by MAFAC," period. We have
12 already dealt with the summit. So the rest of
13 that goes away. That whole next paragraph
14 goes away. And then that stays.

15 MS. LOVETT: So I have set this up
16 not strictly in terms of equities.

17 MS. McCARTY: Yes. And I think in
18 the second thing there, the first line, you
19 don't need to say, "and up to 25 people."

20 DR. CHATWIN: Well, first, I am not
21 sure we can charge these people as core
22 organizers.

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1 MR. SCHWAAB: I was going to come
2 back and remark on that point myself. I think
3 we have to be careful about the language here.

4 DR. CHATWIN: Yes.

5 PARTICIPANT: Could you just
6 restate that?

7 DR. CHATWIN: The language that we
8 should charge the people of the working group
9 to be the core organizers on the summit. I am
10 not sure of the legality of that.

11 But I would like to hear from the
12 others, more specifically is it our role to
13 say what the summit will cover and what the
14 summit -- what are the issues that we think
15 should be covered in this summit and then
16 charge this working group to develop the right
17 expertise to address those issues?

18 I am not seeing it here. I am
19 seeing we are building an entity. You know,
20 the dots are not connecting for me. I can see
21 the value of the entity. I see the need of
22 it.

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1 I don't see how this entity is
2 going to get pulled together in time for a
3 summit for our, potentially for our, next
4 meeting. And there is all of this summit
5 organization that has to happen, you've got to
6 convene before the summit.

7 So things are just not, the dots
8 are not connecting. I hope that we would have
9 a discussion about that before the vote is
10 called on the motion.

11 MR. SCHWAAB: Well, just if I could
12 perhaps connect a couple of the dots? The
13 list of items that Heather just modified was
14 begun to be modified in the third paragraph
15 was the list of items identified at this
16 meeting by the recreational working group in
17 its subcommittee, in its working group meeting
18 yesterday.

19 So the substance was identified and
20 articulated here based on the participation of
21 the members of MAFAC who were on that
22 recreational work group and had a meeting

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1 yesterday.

2 So that's how it made it into here.

3 Now, whether it could have been characterized
4 or framed differently, it would seem to me
5 that part of the discussion that we are having
6 here now is the modification of that list.

7 These are the things that MAFAC's
8 subcommittee is reporting to the full
9 Committee as of interest to the current
10 recreational work group that we would like to
11 move forward for further consideration by this
12 to be newly constituted working group at this
13 summit and beyond.

14 Now, you know, we can modify that
15 list. And, again, for this discussion, I
16 think I would want to sort of circle back.
17 And Heather did surgery on it. There might be
18 other people here who feel like there are
19 things that belong back on that list because
20 of the input that the work group provided.

21 DR. CHATWIN: Okay. So let me see
22 if I am understanding. When we convene a

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1 working group to address specific issues and
2 the mechanism by which this working group is
3 going to operate and provide advice to us on
4 the specific issues is a summit and follow-up
5 meeting within a one-year time period?

6 MR. SCHWAAB: Right. Now we're
7 putting that in place.

8 DR. CHATWIN: Well, the current
9 motion, yes.

10 MR. SCHWAAB: Proposing to, yes.

11 DR. CHATWIN: Is that right? Maybe
12 we should term it that way, that we are
13 seeking advice on these issues and that this
14 working group will convene a summit and have
15 up to X number of follow-up meetings, at the
16 end of which they will produce advice because
17 right now this isn't it.

18 It isn't there. It just says this
19 working group is going to address these
20 issues.

21 MR. SCHWAAB: Well, I think it's
22 probably -- you know, it might be overly

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1 prescriptive at this point. Now, maybe it is
2 the only way that the Committee is going to be
3 comfortable, but I think it is perhaps a
4 little overly prescriptive at this point to
5 try to dictate exactly what the process is
6 going to look like coming out of the summit.

7 Now, if that is where the Committee
8 wants to be or feels like it needs to be, then
9 that would be something that we will have to
10 take under consideration.

11 MS. McCARTY: Mr. Chairman, I
12 already said that in the motion. I cut that
13 back because I want to cut back duration of
14 the Committee until this group has had a
15 chance to see how it works and see whether we
16 like it or not.

17 And number two is because I believe
18 that the subcommittee is acting on all the
19 rest of this material, as is the full MAFAC.
20 I really don't want to kind of turn all of
21 that stuff over to an advisory group,
22 particularly if it is an ad hoc advisory

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1 group.

2 I think it is our job, I think it
3 is your group's job, your subcommittee's job.

4 I am not saying this is off the table. Au
5 contraire. I really think that all of that
6 stuff is important. I just was kind of trying
7 to limit the scope of the advisory group.
8 That is all.

9 PARTICIPANT: Call the question.

10 MR. SCHWAAB: Well, no. I don't
11 think we're quite there yet.

12 Patty?

13 MS. DOERR: I agree with the way
14 that Heather is going here. I think it
15 provides some flexibility for the new working
16 group that I think a lot of folks on the
17 Committee desire and to see what comes out of
18 the summit and kind of readjusting the plan at
19 that point in time.

20 Maybe it won't be necessary to have
21 a working group at that point in time because
22 the summit will be such a grand success that

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1 we need to. On the other hand, maybe we need
2 to extend it for another year and give them
3 more specific direction for advice coming from
4 that summit.

5 I mean, I have the ones, but we can
6 do that. I am very comfortable with the way
7 Heather has kind of decided to approach this
8 to give you guys the flexibility that you
9 would need to make it comfortable. I think at
10 this point in time, that that is going to be
11 needed.

12 MR. NARDI: I just wanted to
13 comment here. I have been waiting for a bit.

14 MR. WALLACE: Are you leaving,
15 Bill?

16 MR. DEWEY: I am.

17 MR. WALLACE: Bill had his hand up.
18 He is heading for the airport.

19 MR. DEWEY: I don't want to -- I
20 will just be really quick, and then I am going
21 to bolt here. I was going to suggest that it
22 might be that the work group, the ad hoc work

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1 group, is to organize and help, assist,
2 organize this summit and have them cover the
3 topics that are in your list that you solicit
4 as topics for the work group --

5 MS. McCARTY: For the summit.

6 MR. DEWEY: -- for the summit, that
7 that might help diffuse this work group's
8 ongoing working on these issues for MAFAC,
9 just a suggestion.

10 MR. NARDI: And that's 90 percent
11 of what I was going to say. And I think Patty
12 even alluded to it just a second ago. The
13 conversation I have been hearing for this
14 group I had thought was to help with the
15 summit and the topics.

16 And, therefore, I was thinking,
17 well, after that point, you know, this work
18 group, this ad hoc advice group, should be
19 through that. That is kind of a defining
20 point in time.

21 I don't see where this year comes
22 in or three years comes in. It is providing

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1 the advice and guidance for the MAFAC and the
2 recreational summit. At that point everything
3 is open to, okay, do we need to continue with
4 the group, gain their advice, make a decision
5 at that point in time?

6 I am just a little queasy with a
7 year or two years, why was a year chosen? As
8 Tony said, something is missing connecting the
9 dots. And for me, the dot kind of ended at
10 the summit.

11 So that's all.

12 MS. LOVETT: Is that a friendly
13 amendment?

14 MR. NARDI: It is a friendly
15 amendment.

16 MS. McCARTY: It's not a friendly
17 amendment.

18 MR. NARDI: Oh, okay.

19 MS. McCARTY: Because I am the one
20 that decides that, having made the motion.
21 But I understand your concerns. And I was
22 just going to reply to it is all. But if you

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1 wanted to make that as an amendment, then you
2 could do that and get a second and go from
3 there.

4 MR. NARDI: Actually, I did.

5 MS. McCARTY: You want to make that
6 as a motion?

7 MR. SCHWAAB: So you're not
8 accepting it as a friendly amendment?

9 MS. McCARTY: No. And if I may
10 speak to that, I can.

11 MR. SCHWAAB: Sure.

12 MS. McCARTY: I don't really quite
13 understand what the exact wording might be,
14 but the reason I chose a year is because I was
15 imagining that it would take a while to get
16 this summit thing done, then it would take
17 even longer to sort of codify and record and
18 report everything that happened there.

19 And then there are other issues
20 that I think this advisory group could work
21 with. And those are the ones that I listed
22 because I think they are the most current and

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1 frightening issues that the fisheries are
2 facing. And I thought it would take that long
3 to get realistic advice and counsel from a
4 group like that.

5 Then at the end of that time, MAFAC
6 could decide whether they wanted to continue
7 with that sort of advice. That's why, George.

8 I don't disagree with your
9 queasiness. And I felt that same way. But I
10 felt that a year was an appropriate length of
11 time. A year is not really that long, you
12 know.

13 MR. NARDI: No, but I was under the
14 impression that the summit was imminent, like
15 they wanted to have it be scheduled as soon as
16 possible.

17 MR. BILLY: March.

18 MS. McCARTY: So that's why it is
19 not friendly.

20 MR. BILLY: March and then before
21 we would need A or something, this Committee,
22 we work through the subcommittee to the full

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1 Committee. We would consider it and maybe
2 take the action at that time, whatever that
3 is. I don't know. That's a little less than
4 a year.

5 MR. SCHWAAB: I don't want to
6 squabble here, but before we get too far on
7 this language, debating this language, I just
8 want to go back to Mark because I think we
9 have had some wording in there we need to be
10 careful about.

11 MR. HOLLIDAY: You mean the
12 particular language there?

13 MR. SCHWAAB: With the way that we
14 are characterizing this working group. You're
15 comfortable with either of the constructs
16 that's up there?

17 MS. LOVETT: It's to complement --

18 MR. SCHWAAB: Oh, you changed it?
19 I thought that was where George was going.

20 MS. LOVETT: I may have
21 misunderstood that. I thought it was -- it's
22 not gone.

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1 MR. SCHWAAB: No. Right.

2 MS. LOVETT: It's highlighted, but
3 it's just a slightly different rewording than
4 core organizer. It seemed like the thought
5 was they were helping the planning of this
6 summit. I thought that was the goal and you
7 supported it.

8 And then the language of the second
9 paragraph would be to modify.

10 MR. SCHWAAB: So where does that
11 leave you, George?

12 MR. NARDI: It leaves me fine. I
13 can see up to one year. It gives me about the
14 comfortable attitude that is open. And when
15 MAFAC determines the work is done, then the
16 work can be done. Sorry if I didn't see that.

17 MR. SCHWAAB: Steve and then Tom?

18 MR. JONER: I just wonder if it's
19 necessary for us to identify the mechanism for
20 appointing these folks in this motion or if we
21 do it as a follow-up policy. And if it is,
22 then I have a suggestion for amendment.

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1 And that would be that the members
2 of the group or candidates for the working
3 group would be nominated by the MAFAC
4 Committee to the subcommittee, which would
5 make the appointments. Otherwise how are we
6 all going to get together and work this out?

7 I think if each of us has an
8 opportunity to make nominations, -- we're
9 covering four corners of the country -- then
10 the subcommittee would actually make the
11 decision.

12 MR. SCHWAAB: Tom?

13 MR. RAFTICAN: One thing. First of
14 all, to Steve's point, it might be easier with
15 the subcommittee making the appointments and
16 then basically ratification of the whole
17 group, you know, a statement, Tom, aimed to
18 try and get people here that are relevant to
19 your sector since we're pretty well split up
20 around the country.

21 One of the things really hasn't
22 been discussed. And that is the focus of

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1 where is this summit going. We're asking for
2 expertise. We are bringing together all sorts
3 of people for a summit to spend a few bucks.
4 Isn't that where we are going to get the
5 expertise and the feedback from the summit?

6 And does that negate certainly a
7 three-year term and maybe a one-year term but
8 maybe a term afterwards and sit down and
9 coalesce what you brought out of the summit
10 one time? Does that kind of lower your angst
11 about a standing giant recreational fishing
12 community? Does that make sense?

13 MR. SCHWAAB: Martin?

14 MR. MARTIN FISHER: I'm sorry. I
15 need to know a little bit about the process of
16 selection. I need to understand exactly what
17 I'm looking for there. Can we talk about it?

18 This is a big deal. I don't think
19 we should take this lightly. I'm sorry.

20 MR. SCHWAAB: No. I understand.
21 What we have offered, what I offered at the
22 outset was one of two options. Either have

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1 this Committee today empower the new
2 subcommittee with the responsibility and the
3 authority to appoint the membership and simply
4 report back or if this Committee doesn't want
5 to go in that direction, then there obviously
6 would have to be some kind of an arrangement
7 made within a timely fashion for a set of
8 recommendations to come from the subcommittee
9 to the full Committee for action in a timely
10 fashion to meet the NOAA timetable if we can
11 achieve that.

12 Now, the logistics of that would
13 mean I would presume advertising some kind of
14 a teleconference and convening the full
15 Committee for the purposes of acting on that
16 list. I think either would be acceptable.
17 The second would be a little more cumbersome.

18 Tony and Steve?

19 DR. CHATWIN: So just to share my
20 previous experience when we're putting
21 together a working group, actually, the
22 subcommittee would identify appropriate

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1 participants. We never did such a big one, so
2 formal, but the participants.

3 And then we would circulate it to
4 FACA by e-mail and say, "Is there any problem
5 here or are there any gaps?" It doesn't have
6 to be cumbersome.

7 I would say that I am comfortable
8 with how it is written. So I can support this
9 notion.

10 MR. MARTIN FISHER: Can we get
11 somebody to read the motion in its entirety
12 because I can't understand what it is?

13 MS. LOVETT: "One, MAFAC recommends
14 that you constitute current recommendation
15 issues where it is affirmative.

16 "Two, MAFAC appoints the
17 recommendation of the working group up to 25
18 people for up to one year to be extended at
19 the discretion of the MAFAC to be charged with
20 assisting with planning and organization,
21 along with recreational issues with NOAA to
22 attend the recreational fishing summit.

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1 "Three, building upon the
2 recommendations and priorities articulated by
3 the MAFAC Recreational Fisheries Subcommittee,
4 the work group will advise MAFAC on issues of
5 importance to the recreational fishing
6 community, including, but not limited to, one,
7 the ocean policy task force report; two,
8 review and possible revision of a NOAA
9 recreational fisheries strategic plan; three,
10 marine spatial planning; and, four, catch
11 share policy.

12 "This list may be modified over
13 time by MAFAC. It will be composed of people
14 with specific interest in NOAA's recreational
15 marine activities. Appointments may be made
16 in consultation with NOAA.

17 "Members will be selected to
18 represent a diversity of national, regional
19 perspectives having solid expertise in the
20 business of recreational fishing, core
21 background in recreational fishing issues, and
22 an operational knowledge of federal agencies'

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1 interactions with fisheries management
2 councils in or regional and state partners.

3 "Establishment of partnership with
4 the core efforts to be made, there is
5 membership to be collectively representative
6 of the recreational fishing community
7 nationwide."

8 MR. RANDY FISHER: Thank you.

9 MR. BILLY: Call the question.

10 MR. JONER: Can we just address the
11 question of the selection process?

12 MR. SCHWAAB: Yes. That's the only
13 thing that still --

14 MR. JONER: I see it as --

15 MR. SCHWAAB: What is the pleasure
16 of this Committee with respect to the
17 selection process?

18 MR. JONER: I like the idea of
19 giving these to your committee, your
20 subcommittee. It's workable. It is all
21 together for all of those names.

22 MR. SCHWAAB: Why would we be

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1 giving names?

2 PARTICIPANT: Yes. We don't want
3 to do that.

4 PARTICIPANT: Let's give you names.

5 PARTICIPANT: You can do it if you
6 want, but I'm not going to.

7 PARTICIPANT: Do you want to send
8 us suggestions?

9 MR. JONER: I'll make a couple of
10 recommendations, but I am --

11 PARTICIPANT: That would be more
12 than welcome.

13 MR. HOLLIDAY: You ask where is the
14 possible roadblock. So I don't think you can
15 do it outside of the public process, make
16 recommendations to serve on the committee by
17 e-mail. In other words, you have to do that
18 on committees that --

19 MR. RAFTICAN: What was that?

20 MR. HOLLIDAY: You can't close this
21 meeting and then send your nominations to Eric
22 and appoint people to this subcommittee

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1 outside of a public, open, transparent process
2 or you are then in violation of FACA.

3 MR. JONER: So does that mean the
4 whole MAFAC Committee has to --

5 PARTICIPANT: The subcommittee
6 meeting?

7 MR. HOLLIDAY: There has to be some
8 process by which the public has an opportunity
9 to view and observe your nomination of these
10 people. That is why these meetings are open.

11 That is why FACA exists, so that you don't
12 make policy decisions like that in the dark.

13 MR. SCHWAAB: So if the --

14 MR. HOLLIDAY: If your suggestion
15 is that we close the meeting and at some
16 future time in the privacy of your e-mail that
17 you send nominations forward, that is not
18 right.

19 MR. SCHWAAB: Well, alternatively I
20 think where I was headed was the full
21 Committee would delegate to the subcommittee
22 the selection of that membership. The

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1 subcommittee would convene publicly for that
2 purpose. Is that kosher?

3 MR. HOLLIDAY: The public part is
4 what is necessary, correct.

5 MR. SCHWAAB: So we would have to
6 in some fashion notice that a subcommittee
7 meets for the purpose --

8 MR. HOLLIDAY: Right.

9 MR. SCHWAAB: And if members that
10 were not part of the subcommittee wanted to in
11 that intervening period send us names for
12 consideration in that public forum, that would
13 be acceptable?

14 MR. HOLLIDAY: Yes, sure.

15 MR. BILLY: Self-nominated or we
16 can --

17 MR. SCHWAAB: Yes, I assume.

18 MR. HOLLIDAY: I don't feel
19 comfortable giving you an answer to that.

20 MR. WALLACE: Is NOAA going to be
21 responsible for the committee or is MAFAC?
22 Who is going to do it?

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1 MS. McCARTY: It's a NOAA function.
2 Mr. Chairman?

3 MR. SCHWAAB: Yes?

4 MS. McCARTY: I think we have to
5 have it appointed by MAFAC because that is
6 what the motion says.

7 MR. SCHWAAB: All right.

8 MS. McCARTY: And so I think the
9 subcommittee makes the recommendations because
10 they have the expertise. People can put their
11 names in. I don't know what process has to
12 take place, but it should be public.

13 MR. SCHWAAB: So we'll have to
14 convene a meeting of MAFAC by teleconference
15 to advertise that and make a final decision.

16 MS. McCARTY: Yes, yes. That's
17 what I --

18 PARTICIPANT: It can be a video
19 conference.

20 MR. SCHWAAB: So in that case, we
21 don't need to modify the motion. All right.
22 Are you ready to call the question?

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1 MR. BILLY: Yes, sir. I call the
2 question.

3 MR. SCHWAAB: All in favor of this
4 motion signify by saying aye.

5 (Whereupon, there was a chorus of
6 "Ayes.")

7 MR. SCHWAAB: Opposed?

8 (No response.)

9 MR. SCHWAAB: Thank you.

10 MR. HOLLIDAY: Abstain?

11 MR. SCHWAAB: Thank you, Mr.
12 Chairman. I do believe --

13 MR. HOLLIDAY: Abstentions?

14 MR. SCHWAAB: Oh, abstentions?

15 (Whereupon, there was a show of
16 hands.)

17 MR. SCHWAAB: One abstention. I do
18 think we have probably a better pathway here,
19 although that was painful. Thank you.

20 MR. BILLY: And we thank you.

21 MR. SCHWAAB: Next time I won't
22 allow myself to be scheduled the morning of

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1 the first morning unless I have something I
2 really want to slip by.

3 MR. BILLY: All right. I am going
4 to move on now to a report of the Commerce
5 Subcommittee. Steve, the floor is yours.

6 MR. JONER: Does everybody have a
7 copy of this for the Commerce Subcommittee?
8 There are not many people here. I don't know
9 if Mark did enough. There's not enough to go
10 clear around. I think we can share. Do you
11 have one?

12 PARTICIPANT: Yes, I have one.

13 MR. JONER: Okay. Well, unlike the
14 last subcommittee, we are going to spring
15 something old on you here. Are you laughing?
16 Okay.

17 I want to just walk through this
18 because it might be a little confusing. We're
19 talking about the old and the new. So we have
20 five issues here on the first page is issue
21 number one. And that is addressing the
22 recommendations from the May 2009 Monterey

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1 meeting that had not been acted on.

2 And then we have a discussion on
3 the first page that follows that. And with
4 that are four recommendations that came from
5 that May meeting.

6 On the second page is the second
7 issue referring to the NMFS seafood quality
8 and safety strategic plan that is two years in
9 the making and not finished. So that is old
10 issues, old discussion. And then we have new
11 discussion, which are issues three, four, and
12 five.

13 Issue three is seafood consumption
14 and health. And we have a discussion there.
15 At the bottom of that page in the italics I
16 guess would be the recommendation we made for
17 that and then on the last page, aquaculture
18 with a recommendation and the Fisheries
19 Finance Program with a recommendation.

20 So, rather than go through all of
21 this, I will just read the number one
22 recommendations from the May 2009 meeting have

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1 not been acted on. The Commerce Subcommittee
2 reaffirms these recommendations and empathizes
3 they are more relevant today than in May.

4 We recommend that MAFAC request the
5 meeting with Commerce Secretary Locke to carry
6 these recommendations forward as follows.

7 What follows there is the minutes,
8 minutes of the May 2009 Commerce Subcommittee
9 report, where we talk about the presentation
10 by Phil Spiller on the methylmercury and the
11 discussion of the NMFS seafood fall being
12 safety from strategic plan and then the
13 discussion of that and then the
14 recommendations.

15 So what we're asking is that these
16 four recommendations be reaffirmed along with
17 the recommendation that NMFS request a meeting
18 directly with the Commerce Secretary to
19 discuss these and any other issues that we
20 think would be relevant for our meeting with
21 the Secretary.

22 MR. HOLLIDAY: Do you want move

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1 them one at a time?

2 MR. JONER: Yes. So we could go
3 one at a time or --

4 MR. HOLLIDAY: No. I meant all of
5 your first part. You need a motion to move.

6 MR. JONER: Right. Yes, right.

7 PARTICIPANT: So moved.

8 PARTICIPANT: Second.

9 MR. BILLY: Second? Okay.

10 MR. JONER: Okay. So we have all
11 been through this once before. I don't know
12 if at this point in the day you want to
13 re-discuss. There are new members. So if you
14 have any questions, we can address those.

15 MR. BILLY: Call the question.

16 MR. JONER: Okay. All in favor?

17 (Whereupon, there was a chorus of
18 "Ayes.")

19 MR. JONER: Opposed?

20 (No response.)

21 MR. JONER: Abstentions?

22 (No response.)

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1 MR. JONER: Okay. Number one
2 carries. That was good. Thanks.

3 Then our second one, we have to
4 rephrase this a little bit, but we would like
5 to encourage that the NMFS seafood quality and
6 safety strategic plan be prioritize that the
7 point be completed and appropriately vented.
8 This is a high priority. And we would like it
9 complete as soon as possible and presented it
10 to MAFAC for consideration.

11 So Heidi?

12 MS. LOVETT: Do you want me to
13 change that?

14 MR. JONER: Well, I guess we could
15 just delete the part there that says we are
16 disappointed and lose that, maybe just moves
17 that or recommends the start of the second
18 sentence, that the NMFS seafood quality and
19 safety plan be completed by NOAA and
20 appropriately vetted. The Committee considers
21 this a high priority and requests it be
22 completed as soon as possible and presented to

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1 MAFAC for consideration. Is that clear
2 enough?

3 MR. BILLY: I think that the last
4 sentence now, instead of the Commerce
5 Committee, would become the MAFAC?

6 MR. JONER: Right. Yes, that's
7 right. We're jumping back and forth.

8 MS. LOVETT: MAFAC recommends the
9 following.

10 MR. BILLY: I so move.

11 MR. WALLACE: Second.

12 MR. JONER: Any questions about
13 that?

14 (No response.)

15 MR. JONER: If not, all in favor?

16 (Whereupon, there was a chorus of
17 "Ayes.")

18 MR. JONER: Opposed?

19 (No response.)

20 MR. JONER: Okay. All right. Then
21 number three is the first topic of our new
22 discussion. We had some discussion of the

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1 goal to increase seafood consumption from 6 to
2 12 ounces per week per capita. Yes, that's
3 per week.

4 And one of the controversies is
5 that that may lead to catching more fish so
6 that there may not be enough fish to
7 accomplish that and that what is available has
8 contamination problems.

9 So because of that, this Committee
10 that addresses the USDA food pyramid, which is
11 -- I guess I am mixing the two. So I am going
12 to go right into the second one. That is one
13 concern, is the lack of fish, perceived lack
14 of fish, and the concern of contamination.

15 And then Tom talked about this food
16 pyramid group that includes folks -- they make
17 recommendations to the Secretaries of Health
18 and Human Services and USDA. Is that correct?

19 MR. BILLY: Yes.

20 MR. JONER: They meet every four
21 years, every five years. They meet per year,
22 I guess it is. So there's a one-year meeting

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1 and then four years until they start over
2 again.

3 The problem that we saw yesterday
4 is that there doesn't seem to be Commerce
5 Department recommendations of the committees
6 and that, therefore, the health benefits of
7 seafood consumption are not brought into play
8 in developing the food pyramid and that USDA
9 is taking care of their own folks. So fish
10 are kind of left behind.

11 This is one of the main reasons we
12 wanted to talk to the Secretary of Commerce.
13 So we can be sure that they're weighing in on
14 this.

15 You know, I think it's really
16 important that this food pyramid includes
17 seafood as a health benefit. It should be
18 part of the regular diet.

19 We had a discussion of the armed
20 services, our looking at the benefits of
21 seafood and diet, and the benefits of fitness,
22 cognitive function, and effects on soldiers

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1 with post-traumatic stress syndrome.

2 Therefore, we would like to see
3 again an effort by Commerce to really
4 represent the seafood industry in increasing
5 it in military diets. And then we also
6 discussed this current national health debate.

7 One way to reduce national health
8 care costs, have a healthier population, and a
9 sure way of doing that is putting more fish in
10 the diets, which would health combat obesity
11 and complications, including diabetes,
12 cardiovascular disease, and other metabolic
13 disorders.

14 So the message should be out there
15 that a healthier population reduces the risks
16 and the overall cost. And fish should have a
17 major role in that.

18 So those are all summarized at the
19 bottom there that seafood consumption needs to
20 be increased. So I guess the third motion
21 would be in the italics that MAFAC recommends
22 the Department must be better advocates for

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1 sustainable and secure source of high-quality
2 fish and so on.

3 MR. BILLY: Just a point of
4 clarification. I provided Mark this morning
5 some edits that don't change the substance of
6 this but make it a little more correct.

7 MR. JONER: Right. I think they
8 are up there on that one, aren't they?

9 MR. BILLY: You projected.

10 PARTICIPANT: I'm sorry. I meant
11 to mention that. I mentioned that we had
12 printed these out before I got here. So your
13 edits are on the screen

14 MR. JONER: Yes. And I am reading
15 off of this.

16 MR. BILLY: Oh, okay. That is what
17 confused me.

18 MR. JONER: But that will be in the
19 official.

20 PARTICIPANT: Edits are on the
21 screen.

22 MR. BILLY: On the screen. Got it.

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1 So move along?

2 DR. CHATWIN: I have a
3 clarification.

4 MR. BILLY: Okay.

5 DR. CHATWIN: When you say when
6 this states that "the Department must be
7 better advocates for sustainable and secure
8 sources," I always think if I am receiving
9 this recommendation, I know I shouldn't put
10 myself in -- if I were to secure -- receiving
11 that list recommendation, I'm not sure I would
12 know what to do with it.

13 And so it might be helpful to say
14 if there is a specific process in which the
15 Department should be a better advocate, that
16 that would be helpful in the recommendation.

17 MR. JONER: Yes, Tom?

18 MR. BILLY: NOAA Fisheries
19 sponsored a National Academy of Sciences study
20 that looked at this. And in the report of the
21 National Academy is a series of
22 recommendations, about 20 as I recall, that

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1 speak to this point. And that is just sitting
2 idle.

3 So NOAA consulted with experts.
4 And there is a whole series about how to be an
5 advocate, who to target, the kind of message.

6 MR. RAFTICAN: You might want to
7 reference that here. You don't have to
8 describe it all but say be better --

9 MR. BILLY: Consistent with the
10 National --

11 MR. RAFTICAN: That would help --

12 MR. BILLY: -- Academy report and
13 --

14 MR. RAFTICAN: Yes, should
15 implement the findings of the National
16 Academy.

17 MR. BILLY: That would be good,
18 yes.

19 MR. JONER: Did you read that in,
20 Tom?

21 MR. BILLY: I put it at the
22 beginning of this, "Consistent with the

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1 recommendations of the National Academy of
2 Sciences report on" -- I don't remember the
3 title, but we've got it, that report -- "MAFAC
4 recommends that the Department follow up on
5 the recommendations, implement the
6 recommendations that will lead to the
7 availability of sustainable and secure
8 resources" and so forth.

9 MR. HOLLIDAY: If you're willing to
10 use the efforts of the staff for the actual
11 wording, we can do that for you.

12 MR. BILLY: Okay. That's good.

13 MR. JONER: Okay. Then Randy?

14 MR. CATES: Along those lines, we
15 have the chance to meet the Secretary and to
16 get those and be able to say something. What
17 the need is is for all of our citizens to eat
18 more fish. That is the message.

19 I would ask the Secretary to then
20 task NOAA for finding ways to increase seafood
21 product for both current and future needs of
22 our country, just like the President and

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1 administration task NASA with going to the
2 moon or going to NASA. He puts his objectives
3 out and says, "I want you to go do this."

4 Correct me if I'm wrong, but I've
5 never heard that NOAA is tasked with
6 increasing seafood production. And I have
7 always been clueless at why. And I think all
8 of the issues that we discuss will find their
9 place if they are tasked with that.
10 Aquaculture is number one.

11 We all know the only way to
12 increase production in this country is to have
13 an aquaculture policy for stock enhancement or
14 other things, but they are not tasked with
15 that. Therein lies the problem.

16 MR. HOLLIDAY: We are reaffirming
17 in this recommendation one of the four prior
18 ones we made in May, which said formulate.
19 The recommendation was to formulate a national
20 and international strategy to expand the live
21 seafood to meet growing demand for seafood
22 domestically and worldwide.

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1 So this is complementing that
2 recommendation we previously met with respect
3 to emphasizing those health benefits, as has
4 been pointed out, getting education and
5 literacy improved, and following up on these
6 recommendations from that conference. So I
7 think they tie together quite nicely.

8 MR. JONER: They do tie together.
9 And you are right. We really need the focus
10 to be on the United States needs to eat more
11 fish and become a healthier country. That is
12 the recommendation right now. And so it can't
13 be we have depressed stocks, so we can't eat
14 more fish. We need more fish. So let's find
15 out how we are going to do it.

16 MR. HOLLIDAY: Through expanding
17 the supply, --

18 MR. JONER: Yes.

19 MR. HOLLIDAY: -- expanding the
20 wild fish or aquaculture, whatever it is.

21 MR. JONER: And that's why, again,
22 we come back to the need to meet with the

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1 Secretary.

2 MR. BILLY: So is there a motion?

3 MR. WALLACE: So moved.

4 MR. BILLY: Second?

5 MR. CATES: Second.

6 MR. JONER: Have we had enough
7 discussion? So all in favor?

8 (Whereupon, there was a chorus of
9 "Ayes.")

10 MR. JONER: Opposed?

11 (No response.)

12 MR. JONER: So moved. Number four
13 is aquaculture. This is very direct. The
14 subcommittee recommends that NOAA at the
15 direction of Under Secretary Lubchenco is
16 revising your aquaculture policy. And,
17 therefore, the subcommittee recommends that
18 MAFAC request that NOAA use within the
19 aquaculture plans developed by NOAA and
20 approved by MAFAC integrally in the updating
21 policy.

22 MR. WALLACE: So moved.

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1 MR. BILLY: Second.

2 MR. JONER: Any questions on that?

3 (No response.)

4 MR. JONER: Okay. All in favor?

5 (Whereupon, there was a chorus of
6 "Ayes.")

7 MR. JONER: Opposed?

8 (No response.)

9 MR. JONER: Four is done. And
10 number five. We talked about Fisheries
11 Finance Program. And we focused a lot on
12 aquaculture there to make the financial
13 assistance program useful to the aquaculture
14 industry and other NOAA program priorities,
15 request a presentation of MAFAC on the
16 fisheries loan program, including past and
17 current experiences, and impediments to
18 utilizing funds for aquaculture development,
19 catch shares, stranded funds, and CCF 2008
20 recommendations, and how to make better use of
21 this programmatic tool for changes in
22 operation.

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1 So the thing to consider is to
2 raise the debt ceiling level so the Fisheries
3 Finance Program can make more loans, allow the
4 Fisheries Finance Program to make other than
5 zero risk loans with less collateral, revive
6 the working capital, operating costs,
7 revolving loan fund, consideration of amending
8 the capital construction fund rules to allow
9 funds to be invested in aquaculture, and
10 promote the use of loan program to support
11 fishermen and community catch share usage.

12 This is something that I personally
13 think is a good idea because I serve on the
14 Pacific Council's trawl committee. And that
15 was always a big question, how will new
16 entrants get into fishery? And this certainly
17 would provide --

18 MR. MARTIN FISHER: I have a
19 question. The cap construction fund is really
20 a legislative item. We could ask the
21 Secretary to bring that to the Hill, but I
22 don't think the Secretary himself can change

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1 that.

2 So I don't know if that the way
3 that it is worded -- I am not saying I have a
4 solution, but I am not sure that the way that
5 it is worded is appropriate in our
6 recommendation.

7 MR. JONER: Randy?

8 MR. CATES: I think maybe what we
9 need to do is recommend to the Secretary to
10 consider it on the President's agenda, to
11 bring it into a bill. I mean, there is a lot
12 of --

13 MR. MARTIN FISHER: That works for
14 me.

15 MR. JONER: So a recommendation
16 there, our final one, is providing MAFAC a
17 briefing as described above, the demonstration
18 projects in each region to implement policy
19 objectives related to fishermen,
20 aquaculturists. And that is something that
21 would be of great benefit to many parts of the
22 country.

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1 Randy?

2 MR. CATES: I don't remember that
3 discussion yesterday.

4 MR. JONER: Yes, we did.

5 MR. CATES: I would have one thing
6 to say about demonstration projects. I
7 personally have benefitted from the
8 demonstration projects. That's how I got in
9 business.

10 But we have done quite a bit of
11 them. And I am not sure whether the value is
12 there now. There are other things that maybe
13 we can do to jump start the industry.

14 There were three demonstration
15 projects. Only one of the three has really
16 taken root to go put cages somewhere else and
17 demonstrate the cage. You know, it is always
18 done where you put a cage out and demonstrate
19 the feasibility of the cage. We have done
20 that all over the world already.

21 So there is value there, but I
22 don't know that that is the best use of the

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1 resources right now. There are other things
2 to do.

3 MR. JONER: Tony, do you have a
4 question?

5 DR. CHATWIN: Well, just it's more
6 in terms of structure of the recommendation
7 itself because when you say provide -- when
8 the subcommittee says, "Provide MAFAC with a
9 briefing," with all the other ones, we said we
10 were hoping to give us a briefing or a
11 recommendation.

12 The previous one was "MAFAC
13 requests that NOAA use." Here we're just
14 saying, "Provide us a briefing" and then "as
15 described above." I mean, there are a lot of
16 things that are described above. It might
17 make more sense just to say, "Provide us a
18 briefing on" X, Y, and Z.

19 It's just that, again, because what
20 is transmitted to the Secretary? Is it the
21 whole thing or is it the recommendation with a
22 cover letter or --

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1 MR. BILLY: It's a report with the
2 recommendation.

3 MR. HOLLIDAY: It's a summary
4 discussion and the recommendations themselves.
5 So we develop a report draft and then
6 finalize it. So we post verbatim transcripts
7 of these, of all of the Committee reports, and
8 we provide a summary report and send it up the
9 chain.

10 George?

11 MR. NARDI: I just wanted just to
12 comment and maybe just to feed on what Randy
13 was saying. I think the demonstration
14 projects would be very useful in the different
15 regions.

16 I think the prior demonstration
17 projects were more on technology of offshore
18 cage technology as much as it was the
19 aquaculture aspect of it. And I think this is
20 more moving towards appropriate. Whether it's
21 commercial offshore or near shore, it's to
22 demonstrate aquaculture success working with

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1 different groups, including fishermen.

2 So I think it's that the tone is a
3 little different than the past demonstration
4 projects.

5 MR. JONER: I'll say that was part
6 of our discussion yesterday that there are
7 areas of the country. And we specifically
8 mentioned the Northwest, Alaska, and New
9 England, where this is beneficial to show
10 fishermen.

11 And it is not to put you out of
12 business. This will help keep you in
13 business.

14 MR. CATES: I agree with that
15 concept. It's just --

16 MR. BILLY: I don't think we should
17 debate this. I think we should modify the
18 recommendation consistent with Tony's
19 observations and vote. We have had this
20 discussion already.

21 MR. JONER: Yes. Tony?

22 DR. CHATWIN: Just a clarification

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1 again because "the demonstration projects in
2 each region to implement the policy objectives
3 related to fishermen, aquaculturists."

4 And to me it is the first time I
5 hear reference to policy objectives related to
6 fishermen, aquaculturists. So it's not that I
7 agree or disagree with it. It is just I have
8 no frame of reference for it. I am not sure.

9 If you could reference where that policy
10 objective is stated, that would be better.

11 MR. BILLY: I don't even know what
12 it is. I don't remember it being discussed.

13 MR. JONER: What section is it?

14 DR. CHATWIN: Right here, "policy
15 objective related to fishermen,
16 aquaculturists." I'm just saying I don't know
17 --

18 MR. BILLY: I am not disagreeing.

19 DR. CHATWIN: -- where the policy
20 objective -- what is a policy objective?

21 MR. HOLLIDAY: Its origins are in
22 aquaculture developed by the aquaculture

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1 program looking at conservation made for them.

2 So that's the origin.

3 We talked about it at the previous
4 meeting. Previous MAFAC meetings had this on
5 the table. So it's not specifically
6 exclusively referenced here, but that is the
7 source of the deliberation.

8 VICE CHAIR BALSIGER: For example,
9 one of the concerns is using four-inch fishing
10 skates. You might have a demonstration
11 project feeding them soybeans or something.
12 It's those kinds of things that might be
13 useful for pilot projects. That is just one
14 simple example.

15 DR. CHATWIN: I understand. So can
16 we just say something like the policy
17 objectives in the MAFAC's ten-year aquaculture
18 plan? That's all.

19 MR. JONER: I think we are
20 suffering both from this is the last talk
21 yesterday and it is getting late in the day
22 today.

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1 MR. HOLLIDAY: So do you want any
2 further discussion?

3 MR. JONER: Yes. Any more
4 discussion on that one?

5 (No response.)

6 MR. WALLACE: I move that we accept
7 the recommendation.

8 MS. LOVETT: Do you want to move
9 the five points?

10 MR. JONER: We will take care of
11 that.

12 MS. LOVETT: Okay.

13 MR. WALLACE: I so move.

14 MR. JONER: Is there a second?

15 MR. CATES: Second.

16 MR. JONER: Seconded by Randy. I
17 think we have had our discussion. So all in
18 favor?

19 (Whereupon, there was a chorus of
20 "Ayes.")

21 MR. JONER: Opposed?

22 (No response.)

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1 MR. JONER: Thus concludes the
2 Commerce Subcommittee report. Mr. Chair?

3 MR. BILLY: Okay. Is there anyone
4 who is interested from the public, interested
5 in providing comment? Now is your
6 opportunity.

7 (No response.)

8 MR. CATES: We have one more
9 committee report.

10 MR. BILLY: I'm truly sorry, report
11 of the Protected Resources Subcommittee.
12 Two-minute break. Two minutes.

13 (Whereupon, the foregoing matter
14 went off the record at 4:21 p.m. and resumed
15 at 4:22 p.m.)

16 MR. BILLY: Let's get started.
17 Sorry, Cathy, again. This is the report of
18 the Protected Resources Subcommittee.

19 MS. FOY: Hopefully this is going
20 to be fairly easy because we don't have
21 anything to report back to the Committee for
22 folks. We are asking permission to

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1 investigate things further.

2 So, with that in mind, let's try
3 and speed this along.

4 MR. CATES: Second.

5 MS. FOY: Passed. So moved.
6 Kidding. So for the new members, the
7 Protected Resources Committee deals with
8 issues with the Marine Mammal Protection Act
9 and the Endangered Species Act.

10 So our first issue, to give you a
11 nutshell, is that litigation is driving policy
12 and allocation of funding resources within not
13 only NOAA, but Fish and Wildlife has this
14 problem as well.

15 We were kind of looking through the
16 law a little bit. And I have to openly admit
17 that I am not a lawyer, but Keith is. And we
18 think that the solution may come in revising
19 the wording in FR 55-116. To read you that,
20 "Species recovery priority is based on three
21 criterion: magnitude of threat, recovery
22 potential, and conflict."

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1 While that second category
2 recognizes the need to use resources in a
3 cost-effective manner, it is not quite getting
4 at the point we need, which is that there is a
5 very limited amount of funding available. So
6 we end up with people litigating on their pet
7 projects or their own personal favorite warm
8 fuzzy. And our resources are shifted and not
9 according to the best science or needs of the
10 agency.

11 So we would recommend -- I gave you
12 something to review there, some very
13 well-articulated testimony by Craig Manson,
14 who is from Fish and Wildlife.

15 So we would like permission to
16 further review FR 55-116 and continue with
17 discussion regarding the development of a
18 funding prioritization process to be included
19 in that rule to ensure that NOAA is able to
20 distribute the funding between the species
21 that are of the highest priority
22 scientifically and where it can be of the most

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1 benefit, not where they are required to cover
2 themselves from litigation or respond to
3 litigation.

4 So any discussion? Are we going to
5 create problems?

6 DR. CHATWIN: I think it sounds
7 good.

8 MS. FOY: I am kidding.

9 DR. CHATWIN: I think it sounds
10 good. So how is the agency supposed to
11 respond to it again?

12 MS. FOY: Well, what we were hoping
13 -- I'm just going to give you a quick point
14 because we didn't have time to get into the
15 issue fully.

16 We have Keith, who is a new member.
17 I guess it is my first term as chair. We
18 didn't have any old discussion of this as a
19 subcommittee. So we were just hoping for
20 further briefing from the staff and further
21 discussion on what we could possibly do to
22 help. We were hoping that by adding wording

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1 or giving some sort of something.

2 Jim?

3 VICE CHAIR BALSIGER: So you don't
4 know whether it would take legislative change
5 or a new statute? You just want to take a
6 look at it and see what the options are?

7 MS. FOY: We do. What we were
8 trying to do is give NMFS and NOAA whatever
9 protective blanket we could. Any other
10 comments?

11 (No response.)

12 MS. FOY: Do I have a motion to
13 accept the recommendation for further
14 exploration by the subcommittee?

15 MR. WALLACE: So moved.

16 MR. RAFTICAN: Second.

17 MS. FOY: Any nays or any ayes I
18 guess I should ask first?

19 (Whereupon, there was a chorus of
20 "Ayes.")

21 MS. FOY: Nay?

22 (No response.)

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1 MS. FOY: Abstentions?

2 (No response.)

3 MS. FOY: Well, I'm moving right
4 along here. So the second issue we have
5 coming up for NOAA is the potential misuse of
6 the Endangered Species Act to regulate climate
7 change.

8 In the absence of any law regarding
9 climate change from Congress, NGOs are using
10 the Endangered Species Act as an attempt to
11 force NOAA to use its club to prevent, for
12 instance, new energy development for a new
13 coal-burning generator, wherever.

14 What we are recommending is when we
15 get discussion between the appropriate
16 Department of Commerce staff and MAFAC
17 Protected Resources Committee to report on the
18 status of a new rule following up with the
19 extension of the Bush ESA regulation. So
20 maybe something along the lines of keep the
21 4(b) rule like Fish and Wildlife Service uses
22 for the polar bears, only something in an

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1 immediate or a localized something. You
2 wouldn't have to respond too distant for us.

3 Speak up more? Sorry, Dave.

4 Sorry, Dave.

5 So discussion on the topic?

6 DR. CHATWIN: Question?

7 MS. FOY: Question. Tony?

8 DR. CHATWIN: Where does the issue
9 come from? Who raised the issue?

10 MS. FOY: We are attempting to
11 prevent an issue I guess I should say.

12 DR. CHATWIN: The subcommittee --

13 MS. FOY: We foresee a problem on
14 the horizon.

15 DR. CHATWIN: Okay.

16 MR. HOLLIDAY: And there is an
17 attorney on the council who has actually done
18 research on this and presented it to our
19 Leadership Council on this very subject. So
20 we will be happy to try to queue that up for
21 MAFAC.

22 MS. FOY: Please, please.

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1 MR. HOLLIDAY: It is important.

2 MS. FOY: Randy?

3 MR. CATES: Are you offering that
4 we are going to get a presentation, then?

5 MR. HOLLIDAY: Well, yes. I think
6 that is what we were trying, what I understood
7 --

8 MS. FOY: I would be open to either
9 discussion between the subcommittee and staff
10 or to the general MAFAC membership, whichever
11 is generally accepted.

12 Does anyone have comments on that?

13 (No response.)

14 MS. FOY: Well, you guys are easy
15 when it's late and you're tired. Okay. So
16 I'm going to move that the recommendation is
17 accepted as stands.

18 MR. MARTIN FISHER: Second.

19 MS. FOY: Any discussion further?

20 (No response.)

21 MS. FOY: All in favor?

22 (Whereupon, there was a chorus of

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1 "Ayes.")

2 MS. FOY: Against?

3 (No response.)

4 MS. FOY: Abstentions?

5 (No response.)

6 MS. FOY: So moved. Moving along.

7 Okay. Let's see. This is an issue that is
8 near and dear to my heart, but before I get
9 into there, I need to put on the public record
10 that Mike Payne and his office have already
11 greatly simplified the scientific permitting
12 process. I know they are continuing to work
13 harder.

14 What we are hoping that their
15 office will do is make it even a little bit
16 easier. This last permit go-round I had a
17 20-page text permit application for a level B
18 harassment, which means that I could fly over
19 at 500 feet or approach to within 100 meters
20 to get brand re-signing, things which the
21 general public can do pretty much to a member
22 of the public with no permit.

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1 So what we are requesting is that
2 we have discussion with staff regarding the
3 feasibility of further streamlining the
4 non-invasive scientific research permitting by
5 developing a standardized permit application
6 for issuance of events that don't take
7 permits.

8 And I would like it to be something
9 that we do in conjunction with Fish and
10 Wildlife or that we model after the Fish and
11 Wildlife Service model.

12 So the recommendation is on the
13 floor. Any discussion?

14 MR. CATES: You're on item three?

15 MS. FOY: I am on item three,
16 scientific permits. This has been e-mailed to
17 all of you if you can't read it that far.

18 MS. LOVETT: Specifically level B?

19 MS. FOY: Level B. Level A,
20 harassment, much involves capture, blood
21 sampling, mortality, and --

22 MR. BILLY: Just for clarification,

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1 request discussion with staff, you are saying
2 you would like that to occur with the
3 subcommittee?

4 MS. FOY: With the subcommittee. I
5 do not think this is something that --

6 MR. BILLY: You would then be
7 requesting that the staff meet with the
8 subcommittee regarding what is there?

9 MS. FOY: Yes, sir.

10 MR. BILLY: Okay. I understand.

11 MR. CATES: You would then bring
12 the issue to the floor of MAFAC?

13 MS. FOY: We would report back to
14 MAFAC, yes.

15 VICE CHAIR BALSIGER: If such a
16 report is needed, right?

17 MS. FOY: If it is needed, yes.

18 VICE CHAIR BALSIGER: It is not a
19 foregone conclusion.

20 MS. FOY: It may not be feasible.
21 Mike can be probably the first to want such a
22 thing. This is a huge burden on his office as

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1 well. So if we can streamline the process by
2 saying something his staff is not allowed to?

3 Randy?

4 MR. CATES: I'm fine with that, but
5 I just have a question for information,
6 learning. Who determines non-invasive
7 research? Who makes a determination what is
8 non-invasive and what is not?

9 MS. FOY: It's defined. It's very
10 clearly defined, yes, sir.

11 VICE CHAIR BALSIGER: Just kind of
12 three levels of mortality: level A, which
13 produces some injury; and then level B and C.

14 MS. FOY: Any more? Martin?

15 MR. MARTIN FISHER: You want to add
16 with the staff to that?

17 MS. FOY: If we need to, although
18 it is understood.

19 MR. MARTIN FISHER: Okay.

20 MS. DOERR: You mentioned also the
21 Fish and Wildlife Service, right?

22 MS. FOY: Mike Payne will be able

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1 to tell us whether or not it is feasible. I
2 don't want to create another burden for their
3 office. I am attempting to make it easier for
4 both the scientists and for the office.

5 Any further?

6 (No response.)

7 MS. FOY: So moved. Do I have a
8 second?

9 MR. CATES: Second.

10 MS. FOY: All in favor?

11 (Whereupon, there was a chorus of
12 "Ayes.")

13 MS. FOY: Nays, any?

14 (No response.)

15 MS. FOY: Abstentions?

16 (No response.)

17 MS. FOY: Thank you. Okay. I'll
18 move on to four quickly. It's not my personal
19 bailiwick. So I don't have as much background
20 on it, but since what I am asking for is for a
21 member of the subcommittee to be able to get
22 more background, it should hopefully not be a

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1 hang-up issue.

2 There appear to be inconsistent
3 approaches to sea turtle protection in
4 regional fishery regulations. Keith is
5 requesting permission as a member of MAFAC and
6 a member of the Protected Resources
7 Subcommittee to take up staff time and
8 possibly depending on what the Committee
9 decides funding to visit different experts so
10 that he can report back to the Committee.

11 Do I have any discussion on this
12 issue? Randy?

13 MR. CATES: Has MAFAC ever done
14 that? Basically you're asking MAFAC to send a
15 member of MAFAC to certain science centers
16 around the country to learn, then to report
17 back to MAFAC? Am I characterizing that
18 right?

19 MS. FOY: Let me see if I can give
20 you some background. Keith says that he would
21 like to do this anyway, just for general
22 knowledge. However, he does not feel

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1 comfortable as a member of MAFAC going and
2 saying, "I would like to take up staff time."

3 He feels that because he is a
4 member of MAFAC, that it needs to come from
5 the Committee that he is allowed to go in
6 pursuit of further backup.

7 MR. CATES: I don't really know of
8 --

9 VICE CHAIR BALSIGER: Of course,
10 anybody can go and see turtles.

11 MS. FOY: Right.

12 VICE CHAIR BALSIGER: And, of
13 course, the turtles are in the Southeast and
14 the Northeast. We have turtles in the
15 Southwest and turtle issues in Hawaii. So
16 anybody can go see them.

17 So I gather you are asking MAFAC's
18 endorsement of that and then also paying
19 whatever travel. Is that the permission you
20 are looking for?

21 MS. FOY: Do you have it, Mark?
22 I'm sorry. He lives in Florida. It shouldn't

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1 be vague.

2 DR. CHATWIN: Tom, just a
3 clarification on what members can and can't do
4 without permission. Is that necessary? Is it
5 necessary to have a member of MAFAC go and
6 talk to someone at NOAA without permission to
7 come to MAFAC?

8 MR. BILLY: Yes.

9 MS. FOY: Yes, yes. But can they
10 do it?

11 DR. CHATWIN: Okay. So this is a
12 funding issue?

13 MR. HOLLIDAY: This is an issue
14 regarding funding, financial support, funding
15 back over to --

16 VICE CHAIR BALSIGER: But it also
17 may get him more license if he says, "I'm here
18 on behalf of MAFAC."

19 MS. FOY: Exactly.

20 VICE CHAIR BALSIGER: So maybe he
21 is looking for an endorsement from the
22 Committee --

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1 MS. FOY: Right.

2 VICE CHAIR BALSIGER: -- with more
3 emphasis.

4 MR. HOLLIDAY: Part of our job, the
5 staff, is to facilitate communications between
6 MAFAC and staff. So if you have a interest in
7 learning more about X, Y, or Z, our staff
8 would help set up meetings and briefings,
9 regardless of who those people are. It could
10 be by phone or whatever.

11 I think what distinguishes this
12 request is one of financial support to do it?

13 MR. NARDI: And did he ask for the
14 financial support?

15 MR. HOLLIDAY: He mentioned it,
16 yes.

17 MS. FOY: He did, yes.

18 DR. CHATWIN: It's not explicit.
19 So if I voted for this, I wouldn't necessarily
20 be voting for financial support.

21 MR. HOLLIDAY: I think you are.

22 DR. CHATWIN: But it's not

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1 explicit.

2 MS. FOY: It's not explicit. I was
3 leaving it open to the discussion of the
4 Committee before I made a motion.

5 DR. CHATWIN: I am interested in
6 the result with respect to the visit.

7 MS. FOY: Well, there are a couple
8 of alternatives. We could also request
9 experts to come brief MAFAC. However, I don't
10 know that there is enough general interest to
11 take up agenda time considering the other
12 issues that we have facing us.

13 MR. HOLLIDAY: Then the question
14 is, is there a policy issue in front of MAFAC
15 that you as a Committee feel warrants advice
16 to the Secretary on this issue? If you are at
17 the exploratory stage, you don't know that
18 answer yet.

19 MS. FOY: Yes.

20 MR. HOLLIDAY: You or anybody else,
21 Keith is free to gather that intelligence and
22 report back to the subcommittee that you think

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1 there is an issue or there is not an issue.

2 The only sticking point that I have
3 is are we going to support financially this
4 request and further requests, going to 3
5 meetings a year, supporting 25 other people to
6 do 2 more meetings? Pretty soon our little
7 pot is getting pretty tight.

8 So this one trip won't kill
9 anything, but it's the precedent that it would
10 set for further fact-finding.

11 MS. FOY: Tom?

12 MR. BILLY: The issue is
13 inconsistent approaches to sea turtle
14 protection. Then the first recommendation is
15 appoint ad hoc effort. Appoint whom?

16 Synthesize understanding of
17 theories explaining declines in threads.

18 MS. FOY: I don't --

19 MR. BILLY: Are those --

20 MS. FOY: So why don't we --

21 MR. BILLY: I'm going to have to
22 abstain.

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1 MS. FOY: Why don't we say that we
2 recommend that subcommittee members through
3 Mark Holliday's office have permission to go
4 travel -- or not travel but have permission to
5 seek further information.

6 MR. HOLLIDAY: You don't need my
7 permission.

8 MS. FOY: Don't need your
9 permission? Can we use you as an
10 introduction? You can facilitate.

11 MR. HOLLIDAY: The right meetings
12 to the right people to support MAFAC's work.

13 MS. FOY: Martin?

14 MR. MARTIN FISHER: Steve had his.

15 MS. FOY: Oh, Steve?

16 MR. JONER: Yes. Again, this is
17 kind of like we're doing something totally new
18 here. And it's way too late in the day to do
19 something.

20 MR. HOLLIDAY: There are brownies
21 out there.

22 MR. JONER: I just had one. That's

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1 why I thought I was seeing something new.
2 I'll need another one. So maybe just reword
3 it, then.

4 MS. LOVETT: Recommend,

5 MR. JONER: That the Policy Office
6 facilitate such visits.

7 MS. FOY: Are you comfortable with
8 that?

9 MS. LOVETT: Recommend the
10 subcommittee through the Policy Office for
11 fact-finding on sea turtle protection issues.

12 MS. FOY: To report back to the
13 subcommittee.

14 MS. LOVETT: To report back to the
15 subcommittee.

16 MS. FOY: Any discussion on that
17 friendly amendment? Martin?

18 MR. MARTIN FISHER: Can I go back
19 to where I was or do I have to go forward to
20 where you are?

21 MS. FOY: I don't know where you
22 were.

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1 MR. MARTIN FISHER: Well, I
2 shouldn't have let you go first. Dr. Holliday
3 said something that made me cringe. You just
4 said that money from the new 25 member and
5 this person and --

6 MS. FOY: Fine. Is this related to
7 the issues at hand or is this --

8 MR. MARTIN FISHER: Yes, it is.

9 MS. FOY: -- sea turtle protection?

10 PARTICIPANT: Eventually, I am
11 sure.

12 (Laughter.)

13 MR. MARTIN FISHER: Well, you're
14 scaring me.

15 MS. FOY: Martin, all I am trying
16 to do is --

17 MR. MARTIN FISHER: You are right.
18 Yes.

19 MS. FOY: -- move the discussion
20 along until we can --

21 MR. MARTIN FISHER: As long as
22 funding is not in the motion, that's fine.

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1 MS. FOY: Okay. Okay. So moved?
2 Wait. Sorry. Randy, further discussion?

3 MR. CATES: I've heard two things.
4 I just want to make sure we are clear. We
5 are saying now that funding is not going for
6 this, correct?

7 MS. FOY: Correct. Any further
8 discussion?

9 DR. CHATWIN: Has it been moved?
10 I'll second it.

11 MS. FOY: I'll move it.

12 DR. CHATWIN: I'll second it.

13 MS. FOY: You second?

14 DR. CHATWIN: Yes.

15 MS. FOY: Vote on the issue. All
16 in favor?

17 (Whereupon, there was a chorus of
18 "Ayes.")

19 MS. FOY: Any dissensions?

20 (No response.)

21 MS. FOY: Abstentions?

22 (No response.)

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1 MR. CATES: Can I ask a question
2 relating to this? Mark, this is a question
3 for you.

4 MS. FOY: Wait. Is it related to
5 sea turtle issues?

6 MR. CATES: Yes and no. It's
7 related to him as a member of MAFAC. Are we
8 allowed to go on our own, whether it's
9 turtles, catch share issues, whatever it is,
10 go to an agency and say, "I'm on a
11 fact-finding mission from MAFAC" or have we
12 got to come to you and then go? How does that
13 work?

14 MR. HOLLIDAY: You don't need my
15 permission to go talk to anybody. I think you
16 bring up a couple of things. One, there are
17 ethical rules of using your office as a
18 special government employee at MAFAC for your
19 personal advantage.

20 So it ought to be on indeed
21 truthful MAFAC distance that you can point
22 back to, "This is how I came to be talking to

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1 you at the Immigration and Naturalization
2 Service" or something.

3 The other issue is we can help you
4 find the right person. So if you don't know
5 who you need to talk to in the government,
6 whether it is NOAA or some other department or
7 some other bureau, you can work with us and we
8 would be happy to facilitate making those
9 connections for you. But you don't need our
10 permission.

11 And as long as you don't misuse
12 your office or your title and demand things as
13 a MAFAC member that would violate those
14 ethical conduct rules in the manual, you are
15 fine.

16 MR. JONER: So just to put it down
17 as an example. I could go to somebody and
18 say, "I'm a member from MAFAC. I am not here
19 as an official representative of MAFAC but to
20 better understand this as a MAFAC member so I
21 can better discuss this with my group. I
22 would like to know."

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1 MR. HOLLIDAY: Again, you don't
2 necessarily need to have MAFAC as the cover
3 for your -- yes. It is not going to get you
4 on the subway. It is not going to get you a
5 cup of coffee. You know, it is really not --

6 MR. JONER: Cold coffee.

7 MR. HOLLIDAY: It's not necessary I
8 think. If we were sending a delegation of
9 people to represent the Committee to a
10 symposium or something else, your credentials
11 would be "I am officially here representing
12 MAFAC and our point of view."

13 But as an individual, you have
14 every right to go speak to whoever you want
15 to.

16 MS. FOY: I'm going to move this
17 along.

18 MR. JONER: Yes. Sorry, Mark.

19 MS. FOY: The last issue, number
20 five, there is a lack of over-arching guidance
21 to recovery plan teams to standardize the
22 de-listing or down listing of species. Just

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1 for a little bit of background, each recovery
2 plan is written by a team of experts that is
3 specific to that animal. So you tend to have
4 a great deal of disparity between recovery
5 plans.

6 What we are asking for is NOAA to
7 provide some guidance in giving a standard set
8 of objective measurable criteria in each
9 recovery plan.

10 So my computer just quit. We would
11 request an update as an agenda item on
12 humpback or sperm whale population status in
13 the recovery plan process in future plans for
14 possible de- listing. I think the Hawaii
15 meeting may be a perfect avenue for this.

16 We would like to use this
17 discussion as a springboard to discuss
18 creating more definitive guidance for recovery
19 plan teams.

20 Do I have discussion on this issue?

21 Randy?

22 MR. CATES: Very, very hot issue in

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1 Hawaii. And I would request to add green sea
2 turtles. There is strong evidence that the
3 population has returned to levels.

4 And there is actually a
5 recommendation to put them back on a fishing
6 list. The process has been stalled for
7 various reasons.

8 MS. FOY: Would you like to propose
9 that to Mark as an agenda item when we have
10 the upcoming meeting for the record?

11 MR. CATES: I think it would be
12 very pertinent to do that.

13 MS. FOY: Would you like to amend
14 the recommendation?

15 MR. CATES: I would just like to
16 amend it to add green sea turtles. It is the
17 same issue.

18 MS. FOY: Okay. Accepted as a
19 friendly amendment.

20 MS. DOERR: A question, really.

21 MS. FOY: Yes?

22 MS. DOERR: So there is no

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1 agency-wide guidance for recovery plans?

2 MS. FOY: There are agency-wide
3 guidances for recovery plans. And I am going
4 to defer to Jim or to somebody else with more
5 experience in this. I only have real, real
6 limited between.

7 Part of the trouble is whether or
8 not you go back to historical level of
9 population abundance or whether you are going
10 back to attempt to sustainable level of
11 population so that you maintain genetic
12 diversity, you don't have bottlenecking.

13 It's not crystal clear. It's too
14 broad. We're asking for more definitive
15 guidance.

16 VICE CHAIR BALSIGER: I think
17 there's a number of differences here. And so
18 maybe you just want to be informed of what
19 they are.

20 MS. FOY: Yes.

21 VICE CHAIR BALSIGER: There are
22 regional differences. There are differences

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1 in animals. There are differences in
2 interpretation of the law and all of that
3 stuff. So you might want to get advice on
4 that.

5 MS. FOY: Yes, sir. Are you
6 getting that, Heidi? Green sea turtles.

7 MR. CATES: It is a big issue.

8 MS. FOY: Green sea turtles. And
9 we want background in that.

10 MR. CATES: They're refusing to do
11 the work on background because they know they
12 would allow -- ten years they refused to do
13 the science.

14 MS. FOY: Jim, would you rephrase
15 that for Heidi for the motion? We want
16 background.

17 VICE CHAIR BALSIGER: I was just
18 recognizing the number of issues that MAFAC
19 would benefit from being or the subcommittee,
20 whatever you want to say, would benefit from
21 being updated on those issues.

22 MR. HOLLIDAY: Recovery plan deals

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1 with the --

2 MS. FOY: Recovery plan. That's
3 good. Any further discussion?

4 (No response.)

5 MS. FOY: So moved.

6 MR. CATES: Second.

7 MS. FOY: We have a vote. All in
8 favor?

9 (Whereupon, there was a chorus of
10 "Ayes.")

11 MS. FOY: Any nays?

12 (No response.)

13 MS. FOY: Any abstentions?

14 (No response.)

15 MS. FOY: So our next
16 recommendation is fairly straightforward. We
17 request that NOAA develop a media plan to
18 celebrate their ESA and MMPA successes.
19 Sorry, Jim.

20 VICE CHAIR BALSIGER: I just
21 wondered if it was plural or not. I was
22 trying to think of one we want.

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1 (Laughter.)

2 MS. FOY: We have great whales, and
3 we have -- we are anticipating successes. How
4 about that? Any discussion?

5 MR. BILLY: I so move.

6 MR. RAFTICAN: Second.

7 MS. FOY: Call for a vote. All in
8 favor?

9 (Whereupon, there was a chorus of
10 "Ayes.")

11 MS. FOY: Any against?

12 (No response.)

13 MS. FOY: Any abstentions?

14 (No response.)

15 MS. FOY: Next recommendation,
16 request an update from Protected Resources
17 staff during 2010 to highlight upcoming issues
18 anticipated by staff and to express MAFAC
19 concerns. This is, in particular, Jim's
20 office.

21 PARTICIPANT: So moved.

22 PARTICIPANT: Second.

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1 MS. FOY: Okay.

2 (Laughter.)

3 (Whereupon, there was a chorus of
4 "Ayes.")

5 MS. FOY: Any nays?

6 (No response.)

7 MS. FOY: The ayes have it unless
8 there are any abstentions I guess I am
9 supposed to ask first.

10 (No response.)

11 MS. FOY: Thank you. It's much
12 easier when you're already ground down.

13 MR. NARDI: Mr. Chair, Dr.
14 Holliday, the budget for the 25-member ad hoc
15 recreational work group is coming out of our
16 money?

17 MR. HOLLIDAY: I had no information
18 where that budget was coming from.

19 MR. NARDI: You alluded to that it
20 was.

21 MR. HOLLIDAY: I assume that it is
22 NOAA funding and it would be our money.

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1 MR. NARDI: Thank you.

2 MR. BILLY: Okay. We have already
3 provided an opportunity for public comment.

4 So new business, Mark?

5 MR. HOLLIDAY: I have none to
6 report.

7 MR. BILLY: Okay.

8 MR. MARTIN FISHER: I just want to
9 reiterate how grateful I am and pleased that
10 you came up with this and the recommendations.

11 I feel like I heard the Committee will and
12 desire. And it's nice in the midst of feeling
13 like NOAA doesn't always listen to us to know
14 that NOAA is listening and responding. I just
15 want to put it back on the record that you did
16 a great job for us. Thank you.

17 And also the food this time was the
18 best yet. So whatever you did in terms of
19 asking for good, healthy nourishment, kudos to
20 you.

21 MR. JONER: Wait a minute. I
22 brought smoked salmon here personally.

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1 MR. MARTIN FISHER: That's right.
2 I got so sick.

3 (Laughter.)

4 VICE CHAIR BALSIGER: Well, we have
5 got two more comments. I have to go sign a
6 bunch of papers this evening. So I am going
7 to take off. But I wanted to thank you for
8 traveling here, working hard. We're bringing
9 up the end, but I don't think we missed
10 anything. So I do appreciate the time that
11 you put in and look forward to seeing you
12 sometime.

13 PARTICIPANT: Next time.

14 MR. JONER: January 22nd or
15 something like that.

16 MR. CATES: Jim, I have something
17 for you specifically. I want to go on record
18 and hope and wish that you are here for the
19 next MAFAC meeting.

20 VICE CHAIR BALSIGER: In Honolulu,
21 you mean, right, not here?

22 MR. CATES: And second on that, I

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1 want to appreciate if it does occur in
2 Honolulu, Mark, if you can work with me on
3 arrangements as far as setting it up, I will
4 be glad to do that. I'm sure we can help take
5 care of some things.

6 MR. BILLY: Any other things?

7 MR. RAFTICAN: I just want to thank
8 Jim and the entire staff and also the
9 visionary look to go beyond Boston to
10 Honolulu.

11 (Laughter.)

12 MS. FOY: Yes. Aloha, everybody.

13 MR. BILLY: And my thanks as well.

14 I appreciate your hard work. I look forward
15 to seeing all of you again. Have a safe trip
16 home. The meeting is adjourned.

17 (Whereupon, the foregoing matter
18 was concluded at 4:55 p.m.)

19

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