

FTS-DEPT OF COMMERCE

**Moderator: Laurel Bryant
Environmental Stakeholder Session
January 20, 2010
2:30 pm CT**

Coordinator: Welcome and thank you for standing by. At this time all participants will be in a listen only mode. Throughout the presentation we will conduct a question and answer session.

To ask a question please press star 1. As a reminder today's conference is being recorded. If you have any objections you may disconnect at this time. I will now turn the meeting over to Miss Laurel Bryant, Miss Bryant you may begin.

Laurel Bryant: Thank you (Dalia). Thanks everybody and welcome to NOAA's listening and discussion session on the draft NOAA catch shares policy. My name is Laurel Bryant and I work in the Office of Communications and External Affairs. I'm sitting in for Andy Winer, Director of External Affairs.

He couldn't be here today, he's on travel. And before we get going and I introduce Monica Medina and Dr. Holliday just want to remind folks it is being recorded audio and transcribed and those products will get up on the catch shares Web page as soon as we can.

And then we'll email you and notify you that those are available for your reference. I also want to remind people that when we go to questions and answers to please identify yourself and your affiliation. And I'm going to turn it over to Monica Medina now.

Monica Medina: Hi everybody and thank you very much for participating in today's session. We have a bunch of people here in the room so when they ask questions I'll ask them to do the same thing, identify themselves and their organization just so that everybody else knows who is talking.

And so welcome to everyone in the room, thank you for being here as well. I know everybody's busy and I appreciate your interest in our policy and I'm very much looking forward to your feedback.

The purpose of this session really is to get feedback in a meaningful way from you. I want to make sure that everybody has a chance to say what they want to say so it may be hard for us to have long extended discussions about some of your points.

But we'll try and do that as well because we do want to be as responsive as we possibly can. So let me just make a few really brief remarks and then we'll open it up to questions and comments.

I know that there - you know are speculative views about catch shares and we do want to hear both the views on catch shares as a tool and how we've expressed the - you know the policy ramifications in our policy.

And then if there are specific word changes or places where you think the policy isn't clear I'd be - we would be really grateful for comments in that kind of depth.

If we don't have a chance to provide those to us today in writing or in - since we talk you know you think of other word changes or issues that you might have or this discussion brings anything to light, please feel free to send us

your comments and we'll give you all the places where you can do that at the end.

So I just want to emphasize that there are many ways and we're trying to reach out in every possible way to get comments on the policy. Also want to thank particularly the Fishery Management Council who each donated the - a person to our catch shares task force and they were very helpful in helping us devise the policy.

I also want to thank all of the members of the NGOs who provided us feedback at our listening session while we were drafting, that was a very helpful thing and I hope that you can tell that we listened and heard you on many of your comments.

And we really appreciated the constructive way that everyone participated in that session. You know as we said all along this is a policy, it's not a rule. It's - so what we really are looking for are councils to consider catch shares, we're not mandating them.

We don't have a quota for how many catch share programs we want to see implemented and we don't have a one size fits all catch share program that we want to see everybody implement.

Really our experience is that catch shares are a good tool but there's a lot of detail in the design and they can be more effective if designed properly.

There is no perfect strategy, there is just goals and objectives that we think councils will be trying to achieve and catch share is one way we think that they might be able to get there.

None of that is a substitute for kind of the basics of Magnuson for hard tax and catch limits and you know doing what we have to do in order to end overfishing.

This is just one potential way to get there. It's a national policy but obviously each one of these is local in design and implementation and we did write the policy in a way that would leave a lot of room for that local design.

You know how each of these programs will look will depend on the specific management goals that any one council sets.

There are important policy questions about whether to allow transfers and if so when and to whom. And there are important questions about how do we promote sustainable fishing communities and make sure we don't lose them.

The important questions about protecting the kind of next generation of fisherman as we design these systems, questions about royalties and questions about how hard - how inflexible or how long any one catch share program should last before it's reviewed to see whether it needs to be changed in any way.

Because in the end if these are not fair both in the design and in the implementation, we think that they will have a hard time succeeding.

So obviously the most important goal is ending overfishing but on top of that we have to use these catch share programs in a way that they are fair and that protect the resource for the long run which is really what we're after.

So with that I'd just say we have folks on the phone, the phone call is muted right now so you'll have to - I think they'll give you instructions in a minute about how to register your questions.

Folks here in the room will probably go back and forth and take a question off the phone and then one in the room until everybody's done.

We do have a couple of hours, if we can't get through everything in a couple of hours we will schedule another one. We may schedule another one of these anyway at the end of the comment process once we've heard everything we may have some more ideas about any potential changes to the policy.

We might want to use another listening session to bounce those ideas off of stakeholders. And I actually think it might be interesting to do one of these calls where any stakeholder, whether you're an NGO or a rec fisherman or a commercial fisherman can participate just so that we get some dialogue going between the various stakeholder groups.

Oh okay, we do have everybody on the phone registered so let me go around the room and just ask everyone who's here to introduce themselves, that way we can make sure we've got that noted in our records, because we are trying to keep very good records of the discussion that we have.

So I'm Monica Medina for the Deputy Undersecretary and the Catch Share Task Force Chair.

Mark Holliday: Hi, I'm Mark Holliday, I'm Director of Policies for Fisheries, Executive Director of Catch Share Task Force.

(Tim Bunnon): I'm (Tim Bunnon), I'm public (unintelligible).

(Sarah Jones): (Sarah Jones), I'm an associate with TO Environment Group.

(Ellen Bolyn): (Ellen Bolyn), I'm a legislative manager of Oceans Conservancy.

(Klein): I'm (unintelligible) (Klein) with Environmental Defense Fund

Tim Fitzgerald: Tim Fitzgerald with Environmental Defense Fund.

Laurel Bryant: And Laurel Bryant, Office of Communications and External Affairs. And I think that's it.

Monica Medina: Okay, with that why don't we open it up to questions. I can see that we have several in the queue on the phone so why don't we - oh she hasn't opened it yet.

So why don't we start with one here in the room and then we can go over to a phone questions. Does anybody in the room have a question or a comment?

(Shari Jones): I have a question, (Shari Jones), Q Environment Group. Your (unintelligible) policy describes a lot of recourses with for instance technical expertise or what a use of the (unintelligible) fisheries finance program to help implement the catch share program.

And just curious as to where this money is coming from and where these resources are coming from.

Monica Medina: I mean they're coming from the new budget. You know we are - we get some funding in 2010 for catch share implementation and we requested some in

2011 but we're not allowed to talk about that yet because the budget isn't public.

But it will be soon and I would encourage everyone to take a look at that. And we will continue to request funding as we you know keep going in this program because we appreciate that it's labor intensive and resource intensive process for the council.

There's a lot of data that's needed. Frankly some of these expenditures are things that we would have needed to spend money on anyway to design you know fishery management programs for fisheries that you know needed to have - to end overfishing.

So it's hard to say where - what's new but needless to say we think we have the funding.

(Shari Jones): You're saying this is all funding that's over and above what otherwise would be funded for monitoring and oversight programs for implementing (ACL)s anyway?

Or is it - are you redirecting resources from other places?

Monica Medina: Well we're not specifically redirecting resources. We have some additional resources that we've received in order to implement some catch share programs.

But there will also be some work that's done, would have been done anyway so I'm not sure that we've parsed it out as you have or you would want us to. I don't know Mark if you have a different answer.

Mark Holliday: No, not a different answer but just a perspective of looking at it. We're spending money today collecting data, be observers conducting enforcement with whatever tool is being used today,.

In addition to those funds we have some money both at the council level and at the NOAA fisheries level to put on - to complement that for catch share design, for the catch share operations.

We've had that money in the budget for several years so we've been rotating that around supporting production of protective program in New England, the ground fish CIQ program on the west coast.

And so some of these costs are transitional for the design and the ramping up of the program, when those things get launched we can reprogram that catch share money to additional programs that are just beginning that design phase.

Some of this operational so once that is in place the enforcement or the monitoring side of it, those funds would be dedicated to that.

So it's a mixture of the funds that we've always had for the science and management and the administration and additional funds.

So in 2010 we have an increment, the largest increase is going for the New England sector program.

The budget that was passed for 2010 (unintelligible) dollars additional support be able to take into that program. So those moneys that are in addition to the money that we were spending on doing all along for (unintelligible). So it complements it, it's not reprogramming and taking it away, it's in addition or complementing those funds.

Monica Medina: I think if I can - and maybe I'm seeing more in your question than there is, but if the question really is getting at are we taking resources away from our ordinary fisheries management work in order to do catch shares, the answer is no.

I mean we still have the same things to do that we always did and we're not diverting resources away from this activity over here that's really important in order to pay for that one over there.

What we are trying to do is make the most of what we have and frankly my sense of this is we've been able to argue for more money for fisheries, for improving our fisheries and ending overfishing.

This gives us you know another thing to argue to get more money for this program that's never really had as much as it needed. You know and so if anything I think we've been able leverage the notion that this new way of thinking about fisheries management would be more effective in order to argue that we needed more resources.

And frankly you know getting away from the system that hasn't worked very well and you know trying to improve the results of all this investment does you know give us something to argue for.

I mean you know better results may help us get more - even more money not to take away from our regular fishery management activities and what we need to do.

I mean fundamental to any catch share program is getting a (tax), and a good one. So - and data, all the things that you need anyway but this gives us

something else to talk about in order to try to persuade policy makers to make more of an investment in fishing management.

I hope that helps. That was a very - I appreciate the comment. Operator could you please instruct the folks on the phone how to get into the Q&A queue?

Coordinator: Sure, at this time we are ready to begin the question and answer session. If you would like to ask a question and answer session, if you would like to ask a question please press star 1. Please unmute your line and record your first and last name when prompted.

To withdraw your request please press star 2. One moment please. We do have a question, our first question comes from Diane Regas, your line is open.

Diane Regas: Hi Monica, this is Diane Regas from Environmental Defense Fund, I'm sorry I couldn't be there in person, I'm down in Mexico, I'm meeting with our staff here.

I wanted to just make a couple of comments. First of all I want to thank you for holding this meeting and the many others that you have had around the country to reach out to the stakeholders who have been engaged in the question of how to best manage our nation's fisheries.

EDF will be providing some written comments on the details of the policy and I wasn't planning on trying to go into those - some of those detailed issues on the phone today.

I did want to make a couple of points though, one is I think at EDF we recognize that the policy needed to strike a balance among all the different views.

At the same time we would still encourage you to go further in the policy and create an expectation that all councils should consider catch shares when they're looking at fishery management plans.

We think the science supports that stance and that you can encourage councils to consider catch shares even when - even without creating a mandate that councils all adopt them.

I also would just reemphasize some of what you were saying is that the key to making catch shares work is to make sure that the resources and leadership are in place to implement the outline of the policy and that's very important.

Getting the design right, everything from tax setting to monitoring to enforcement and other steps to implementation that are inherently included in catch shares is really important.

So in a sense that's less about what's in the policy and more about what's in the implementation of the policy. And would just encourage you at the leadership at NOAA to continue to focus in on that.

Second I would encourage you to make explicit in the policy that you expect similar levels of accountability for all sectors of all fisheries, whether or not they decide to go into catch shares.

We believe and we believe the data supports that catch shares provide greater accountability, a higher probability of meeting the TAC from those who participate in catch shares.

And we think that that meeting the TAC needs to be a goal and needs to be a high standard that all fishery management plans are held to.

And the last point I'd like to make is that I think that the science that's been published and also recent experience supports your policy. And I would encourage NOAA to communicate with folks about some of the successes that are happening around the country including recent information about the Gulf red snapper.

We're really pleased that the total catch in that fishery is recovering. And we expect that just this year that the total catch will go up from five to almost seven million pounds.

That's not just because of the catch share program but we do believe that that's part of what has changed in that fishery. And that that increase is going to benefit not just the ecosystem which is why we're at the table.

But also benefit all types of fisherman. And with that, that's our general comments and we'd be happy to discuss our comment on a later call on the details of the policy but we wanted to make those key points.

Monica Medina: Thanks Diane. I want to apologize to everyone, I have a terrible cold so if I sneeze or if I sound funny I'm really sorry.

Diane thank you for that and we look forward to your written comments and if we have questions or want to talk further we will get back to you but we really do want to see you know those kinds of comments because they will help us make the policy better.

I hear you on trying to encourage councils to consider catch shares. And on leadership needing to be focused on this to make sure that the design is right and there are many issues.

And I do want to say there are times when we may make you know decisions that you know in hindsight we wish we could redo, but we're going to try to be as flexible as we can.

I think this is a learning process, each one is different and we're going to do the best we can to implement in a way that you know is fair and makes sense.

And that does require leadership attention and we really are committed to that. And if we do something that in designing one of these that you think we need to hear about you know I hope the lines of communication will stay open even after we finish the policy.

And I do agree that it may help to get people to a place where they're not so anxious about catch shares if they hear more about some of the successes and so I hope that we can communicate that in a way that speaks to people.

And so I appreciate that comment as well. So let me take one in the room. Can you identify yourself?

(Mary Ann): Sure, it's (Mary Ann) (unintelligible).

Monica Medina: Thank you. And can people on the phone hear, we don't have - our Startek phone died yesterday so we just have a regular old speaker phone. I just want to make sure that she can be heard because she's kind of at the far end of the table.

(Mary Ann): I can talk louder. The ability to....

Monica Medina: The operator says that she can't hear.

Woman: We cannot hear, we can not so yes, you need to speak up.

Monica Medina: You need to speak up, okay great. I want to make sure people can fully participate.

(Mary Ann): So I think it's interesting that there are (unintelligible) perceptions (unintelligible). I (unintelligible) for those of you who don't know I'm (unintelligible) and working on the council for probably the better part of ten years.

So I was there during the development (unintelligible) and there are a handful of people that are very happy with it and (unintelligible) sort of high liners, those (unintelligible) quota but there are many people that are unhappy.

And I think in particular because they are seeing bycatch from folks that are not involved with the program and so there has also been little monitoring of that. There was a bycatch study in the Gulf of Mexico but it involved those that had quota.

And so certainly we are seeing people with reduced bycatch from the high liners which is great because they were attacking those quota.

But what we're not capturing or understanding is what that program is doing in (unintelligible) fisheries and grouper and snapper are (unintelligible) in the Gulf of Mexico.

And we're getting reports from a lot of the grouper fisherman who are just now going under an ISP program themselves that they are actually for lack of a better term catching - I won't say (unintelligible), catching an incredible amount of red snapper for which they don't have quota, cannot buy quota.

And many of them don't want quota because they're grouper fishermen. And so that goes to the discussion of sort of successes of quantifying successes, but also it's a number for on the summary under third page which is coordinating game (unintelligible) performance monitoring.

I think it is major that we capture all the data. It's not just about those that are participating in IFC fishery, but also those that are participating in a either multi-species fishery, some that's under the quota and some that isn't for those are in a related fishery but they might (unintelligible).

We have a sense of (unintelligible) so far (unintelligible).

Monica Medina: Thank you very much for those comments and I appreciate that folks on the ground went through some of these (unintelligible) a lot that they can offer us in terms of lessons learned and you know pitfalls to avoid.

I also fully agree with everything you said about all the data and having the best snapshots that we can. You know there is no such thing as absolute perfect data, we always wish we had more but the more we have the better job we can do.

And I think we do have to watch as these new programs are being implemented to make sure that they're - you know that we're catching things like the bycatch issue that you mentioned.

Any system has its you know weaknesses and we just have to be aware of them so that we can watch and make sure that they aren't exploited, that probably explains how we got where we are in a large part.

So every system has its weaknesses and we just have to recognize those and work around those while we have those (unintelligible).

But I appreciate that and I think you know we will enlist your help as we go down the road. We'll certainly try and do more education and people who have been through a class (unintelligible) ten years of experience you're trying to implement catch shares, we can learn.

Okay, on the phone do we have another question?

Coordinator: And our next question comes from Carmen Revenga, your line is open.

Carmen Revenga: Hi, thank you this is Carmen Revenga with the Nature Conservancy. First of all thanks for having this call and as EDF has mentioned we will also be submitting written comments.

So I just wanted to make one point. I was wondering if when you were - we know you were setting up the policy to be very flexible and very accommodating to local catch shares and the councils.

But I guess we were a little disappointed, we would have to like to have seen something a little less discretionary, something that had a little bit more standards and requirements on the design.

And I was wondering if that was something that the task force had considered and if you could talk a little bit about that, is there a certain standard about

how is NOAA going to ensure that the design is appropriate and that it will allow for innovation and things like that. Thanks.

Monica Medina: Well I appreciate that comment and we did balance, we spent a lot of time balancing the kind of how prescriptive to be versus how flexible.

And I think given people's anxiousness about a change like this, it's a pretty big policy shift. If we go to more of these systems we were worried that being too prescriptive might make it more difficult for people to - for councils to decide to use catch shares.

That being said we do need to monitor and I think you know the lesson we're learning just now as we go through this is that we have to be very mindful and be working with councils even during the design process.

We can't wait. You know in the past I think the typical way this has worked is the council designs a system, you know an effort control system now for the most part and then we wait and we evaluate it.

But we may need because of the intricacies of the design here and the importance of some of these considerations, we may need to be involved earlier in the process to help council shape some of these plans.

I think the hard part about any kind of standards is that there are so many variations and it really does depend - you know the fundamental tentative council design of these programs is that you know local citizens have - you know get to figure out largely you know as long as they comply with the Magnuson Act what their additional objectives are.

Is it saving communities? Is it you know preserving recreational opportunities? It's hard to mandate standards when there's so much variety out there.

That being said you know I think we tried in the policy to talk about the things that would be of concern to us and you know as I said I think what I'm learning in the short time that we've had the policy and have started to work on you know more intensively on catch share programs is that we probably do need to be very hands on early on in order to ensure that we you know get a catch share plan that we really can feel good about.

And implement well. We want these to be a success. We want them all to be a success, I don't mean to make it sounds like the others wouldn't matter just as much to us. They all matter, but this is kind of a new experience and we have - we are learning as we go.

So anybody else in the room, let me just keep going around the table. Yes.

Ken Stump: Ken Stump, Marine Fish Conservation Network. The question arises in my mind about where guidance stands and we went through a (unintelligible) process a couple of years ago to get to (unintelligible) 303A provision.

We were under the understanding that you guys were going to go ahead and (unintelligible) that but when I read Page 9 of the draft policy, under the specific policy guidance it says that you're laying out high level principles here that do not address specific questions of technical interpretation of (unintelligible) to the (unintelligible) of your authorization.

And it seems that you're saying that you're not going to issue additional technical guidance, that will come out in other council context. So I guess I'm

just a little confused about where this stands and whether you plan on proceeding with more formal guidance or company policy.

Monica Medina: I think that's largely depends on what people tell us. I mean if people tell us that we need more formal guidance to implement the policy, the councils, that you all do then we'll consider it.

I think the trade off is you know we only have so many staff, only so much time, I don't want to write policy manuals to sit on a shelf somewhere.

And we already do have a pretty detailed guidance document on catch shares that Mark drafted in advance of when we started the policy.

So...

Ken Stump: Well that was sort of a literature summary if that's the one I'm thinking, which was very helpful. But it doesn't address the requirements of the law, the new requirements and how - particularly now that you're putting out the policy, how the policy and the provisions in the law relate to you know what the council's going to do.

I mean I hear that you're concerned that there are many different types of fisheries, many different circumstances.

I would agree with you on that, I think that's why in fact the Magnuson reauthorizations provided for many different types of (unintelligible) program design.

That's all to the good. But there's still parts I'm very clear in details, legal requirements to these programs and I'm concerned that they're not being

addressed and that the implication is that they will just be worked out as we go along.

And I think that's potentially asking for trouble in terms of you know these are - these - based on what we have seen with the programs that have been - that are in place now, this is a year long process to get the programs up and running.

It's complicated, it's full of allocated battles, politics, money and so I think it's really important (unintelligible) is very clear (unintelligible) how the provisions should be implemented, even notwithstanding the fact that there can be many different ways to (unintelligible).

Monica Medina: Well let me respond to that by saying that I would appreciate if other people have this view let us know. And if you have specific things that you think need to be in a guidance document, I need more specificity.

If you - I mean I'm happy to respond but I don't want to write a document that isn't meeting the - that doesn't meet what you want. And what I can tell you from the councils is they begged us not to write many more manuals, right?

Ken Stump: Of course not.

Monica Medina: Well because they aren't going to read them. But - well I shouldn't say that, I don't know. I mean I don't know, they probably will read them and who knows? But in the end you know they ask for flexibility and help.

And I don't know what the best way to help them is. Is the best way to help them a book that they have you know that they can refer to or is it you know more hands on help?

And is it more data? You know is it - what's the best way to make you know the best designed program that we possibly can.

Ken Stump: You know in my experience with councils frankly they want all the authority of an agency and none of the accountability under the law. And I think that's why it's really important for the agency to stand up and be the agency and say this is the way you have to comply with this.

And that still gives you virtually infinite flexibility in terms of design. But you still have to do a number of things, and they aren't optional. You can't just go think about them and I will give you because I've already submitted these comments to Mark in our scoping process.

But I can submit them by email as well but those were our comments in the scoping process and they represented a broad swath of network groups including fishing members that are in an IFQ program.

So we were not saying no to the idea at all but even - but particularly because people in the programs were saying there are a lot of pitfalls and a lot of concerns even if we support the general approach that you need be aware of and you need to establish clear guidance to prevent abuse.

So...

Monica Medina: Well I guess abuse is a kind of broad word, and I don't know what you mean by abuse. Do you mean people...

Ken Stump: Well you can get something like the transferability so that in fact you know you are not limiting the amount of quota that can be allocated to a given party.

Because of potential loopholes in the system and account to create, then clear guidance on how transferability can work would perhaps give you in my opinion a stronger position at the outset when you're engaging with council design.

And you're setting those guideposts up in advance for them so they do know and it isn't - I'm sorry but law is the law, the council doesn't have the option of saying well we'll go think about that, thanks very much.

Monica Medina: Well I don't - let me just say, none of this is meant to put aside anything that's required in the law. And the law is the law and you know we're here to implement the law.

And nothing in this policy should be read to be giving anyone a break on what is a legal requirement. That means what we're trying to do is find a better way to implement you know the law and achieve the goals of the law ending overfishing, period.

And setting hard tax and you know making sure that you know we don't go over them no matter what the system is the key. And so you know I take your point and I appreciate that.

And I remember your comments. I think we're balanced here, I think we're trying to balance. And I think there are key guideposts that you think are legal requirements that somehow aren't clear in the policy.

It would be great to let us know. You know if we need to say more clearly the goal of this is to make sure there's no - we don't exceed our catch limit and

this is a way to you know make sure that - this is another tool, another option for managing fisheries to make sure that we don't exceed our catch limits.

You know ending overfishing is the most important thing, we'll say that more clearly, I would love to know it. That would be helpful, that is the goal. And I appreciate this and you know we'll look back at this again and we'll scan these in so that people will have them on the website.

So (unintelligible).

Woman: But also another point that I feel that Ken's been getting at is that many of these things are very vague, the (unintelligible) is very vague for us (unintelligible). But I think also the policy is a little vague (unintelligible) explanations of council of how they ought to move forward.

And so perhaps a set of standards would be useful, something like you know your catch limits or you know number two, what this is about (unintelligible) or things of that nature like our point would be to sort of check off as you develop the policy.

Because I don't think you have that (unintelligible) specific (unintelligible). But I do think part of the charge to the council to advise everybody ought to be (unintelligible) to explain to them what your goal is in providing (unintelligible).

But I do also think the specifics need comparing to (unintelligible). That could be more details in the (unintelligible) that we have to have so far. I think that's what my expectations were in the guidelines, that things would be sent out to the council saying that if you were going to (unintelligible) and less of the (unintelligible) council nationwide to determine (unintelligible).

Monica Medina: Those and other things but there are national standards in Magnuson that are pretty good start. And you know we need to reinforce this all the time, you know that's our job. But you know I hear you that you know you don't want to see this be a policy where anything goes.

I hear you. Mark you look like you wanted to follow up.

Mark Holliday: Well I wanted to - just one of the original questions talk about you know striking a balance and you know what the task force is trying to do. If you look at the Magnuson Act there's probably three tenths of this that define what our requirements are for specifying (unintelligible).

And that's a huge impact on (unintelligible). So we spent a lot of time and a lot of money trying to cut back on (unintelligible). We felt it was a lot (unintelligible). Section 303A goes on for eleven pages, (unintelligible) there's a lot of guidance within the (unintelligible) that sets boundaries, that sets guidelines, that sets you know conditions on who is eligible, their transferability, deserving communities.

So I'm not making the case that one's right or wrong, I'm just saying that on a relative basis there was already a lot of secondary value that was available to people.

And what we tried to do was tried to balance of what goes into the policy and when specific questions to council are raised, we're unsure whether or not we can provide the program for that, targets and allocation to a particular port, can we do that?

Is that allowable or permissible under the act? So we've been addressing them as those issues are in front of the council at the design stage in giving legal advice.

And so every month you know attorneys need to work with the council to try to resolve the interpretive nature of the guidance that's not there in the act. So the policy is not trying to get in and anticipate all of the different questions that are coming up.

That was left to trying to do that triage that one of the things that are imperative to the council moving on, choosing or not choosing to go forward with the (unintelligible) to achieve those goals.

Or designing in a way, will this be consistent with the act or not? So I think we could do a better job of taking those decisions and taking them, people's advice and sharing them across specific councils.

I think that's what we tried to say in the policy is we need to do a lot more about (unintelligible). No everybody.

Woman: My understanding of your interpretation is the council members deal with the executive directors in the council but we don't have any idea what you're asking (unintelligible) for.

Mark Holliday: Absolutely. So one of the four pillars that we talk about in program support is improving the communication and the carrying of information and knowledge about - from the design stage all the way through the operational stages, how we can move forward and how we can answer these questions.

Because as Monica says they all have to be consistent according to national standards but also the specific requirements (unintelligible) intended for these programs, what they should look like and what they should or shouldn't do in the design.

So just from the (unintelligible) with a passport you know we looked at continuing to look very, very general to very, very specific and I've tried to balance something.

Certainly someone highlights the opportunity for us to take these (unintelligible) recruiting (unintelligible) sharing that information and if it is as the policy says, if it rises to something where we have to do a (unintelligible) and common rule making and publish that as - in the (unintelligible) and code of federal regulations, we'll do that.

What I don't get is we don't see - we had to see the merit of - value of doing that at the outset for every section that comes up, some of these things tend to resolve more readily as they appear as an issue for the council.

Public or (unintelligible) members will (unintelligible) so the balance that we're trying to walk at this point (unintelligible).

Monica Medina: Let me just say we should probably take another question from telephone participants, is there another question?

Coordinator: Once again to ask a question please press star 1. There are no questions at this time.

Monica Medina: Operator, we lost visual content on line and I can't seem to reenter so if we - if you can't hear us for something please let us know, otherwise I won't know.

Coordinator: Okay.

Monica Medina: And when there are questions please let us know because we won't know. In the meantime we'll just continue our conversation here, I know there are more comments in the room here, so we'll just go around the table.

(Mike): Thank you. And thanks for calling this meeting. First on a lighter note, we were talking about all the different things that have been catch shares and other acronyms we've seen over the years and it occurred to me that now that (TURF) is well established you guys should take on looking for something called SURF so that we could you know...

Monica Medina: Have - yes indeed.

(Mike): Have the obvious conversation. Seriously though I like the fact -we like the fact that there isn't a quota and there isn't a mandate. We think the amount of encouragement and requirement balance (unintelligible) right.

Thank you for the statement in there where you talk about allocation and encouragement to the council to periodically revisit sector allocations based on consideration of conservation (unintelligible).

And I guess a couple of things about - a lot of the flavor of this whole conversation has to do with a sort of dichotomous - the way we did it before hasn't been working and the way we're going forward will work.

And I just want to caution that there's still a very vigorous debate in the scientific and policy community about whether actual tax based systems done right will work.

And whether or not there's an - you know sometimes called an attribution fallacy that successes of tax based systems are being attributed to catch shares where they kind of happen at the same time.

And so you know going forward there are places where we expect there would be real benefits from the Magnuson amendment being tried.

And you know so as we evaluate going forward the success of this experiment, there's a third category, things that need to be tried.

And then on that note and following on a couple of the earlier comments, getting at - there are two good paragraphs in here about multi-species fisheries and impacts of you know we've got as part of the fishery or part of the target species being chased by catch shares fishery and a non-catch share fishery.

These are phrased as it could happen and you know again it's just clear that it's going to happen over and over and over again, it will be the rule, not the exception.

And we're very concerned that the necessary context for successful catch share programs are indeed a robust set of annual catch limits.

We continue to believe that robust annual catch limits have to include all catch limits. We're very concerned that many of the councils seem to be heading down a path of interpreting with - our understanding is - outgoing NOAA's general council guidance or encouragement annual catch limits is annual landing limits.

And we think that's going to set up a lot of embryonic catch share systems for failure, conflict, all kinds of bad things. And so you know it's not exactly in this policy but the policy and the new catch shares systems are going to be in this broader context, which again is very hard, very complicated.

But really accounting for all of the dead fish and making sure that all the dead fish count against somebody's limit, we persist in thinking is actually required by the law. And you know we may end up having to ask a court to help us decide you know who's interpreting the law right.

And similarly, you know all - everybody's comments about the importance of resources for observers or enforcement for (EMS), all those things don't set up catch shares systems that you know have the - they have the limits and they have the allocations.

But they don't have these other - and again we're very worried going forward and particularly it gets resolved. We're under-resourced in those areas. And you know this is sort of the practicality part.

Once the policy is in place and with your encouragement, councils go forward to make these things happen. If the rest of the context isn't set up correctly, then we're going to see a lot of conflict and failure both to make the fisherman as happy as perhaps they might be and achieve the overfishing resulting.

Monica Medina: I - you know appreciate your comments (Mike) and I agree with them. I think you know any system can be gained. What inherently you know I think is beneficial or interesting about a catch system is it meets the people who would gain the system have an incentive not to.

Under the other systems, not sure it's quite such a clear connection and a clear stake in the future. There is more emphasis on the take what you can today and it's a little less precise because you know we're setting these limits kind of across and using joint tools like days at sea and effort controls as opposed to being very specific about if you're fishing X you get Y.

You get this quantity. But we do have to be able to back it up. If people cheat and they feel like they can cheat and we aren't you know able to keep the system honest it will fail just like any other system where people are able to cheat and don't (unintelligible).

And so you know we appreciate all that you said and you know I think that's the challenge here. And hopefully we can meet it.

Man: So if I could just follow up on the comment about past paid fishery, attribution of you know success with catch shares, it works both ways because a lot of time catch shares are the negative side.

And the (ponds) are portrayed as all these downsize only (unintelligible). I think we need to look at it straight up and say what's the cause and what's the effect?

The one thing when I talk about this to people about the tax based system is that there are (unintelligible) are going to deal with keeping the level below the terms of removal.

But it really doesn't get to some of the other objectives and (unintelligible). But there are economic objectives in the council (unintelligible) just an ATL by itself won't get you. So if the council is interested in trying to resolve that

(unintelligible) objectives, looking beyond an ATL may be do a catch shares (unintelligible).

Man: To be clear what I was articulating is conservation (unintelligible). I don't want to you know speak about the non-conservation side (unintelligible) although I have heard people say you know they kind of like (unintelligible).

There are absolutely pros and cons to different approaches. On balance comparing what the objectives are that the councils have and what are the tools they have.

Monica Medina: If we could take one more in the room I think we have more in the room than in the queue on the phone, so just going on.

Man: Basically I support broader based question, but if I decide to approach the catch share as kind of a significant departure from the way that we manage our other federal (unintelligible) natural resources (unintelligible).

Wondering what prompted the task force to advocate for (unintelligible) approach of the allocation to give away the ability - instead of considering the publicly managed (unintelligible) approach.

Was there any comparison between the two?

Monica Medina: I would get - I don't think we foreclosed the notion of collecting some cost that you know against the public but right now it doesn't recoup any of those - we have doesn't keep any of those public - we don't recruit anything from the fishermen now under the system that's currently in place.

So I think this move toward this system like the one that you know you're advocating and it opens the possibility for some kind of compensation for cost you know - for recouping costs to the public for you know the resources that are being caught.

I'm not sure that there was a balance per se, I think we felt like this was a way to get you know take a step in that direction.

Man: Well we tried this in the past, I think the task force looked at what we - the policy of Congress and the Magnuson Act set up the royalty section of the (unintelligible) and gave the responsibility to make the decision on whether or not they collected royalties for council.

But clearly that's their responsibility, not (unintelligible) lawfully so throughout the policy we did not extend our authorities under the Magnuson Act to say that we can require (unintelligible) to be selected.

Woman: Isn't it a little difficult for them to hand the responsibility of collecting resource (unintelligible) from fisherman to (unintelligible)? I mean the council (unintelligible) so they're not (unintelligible) enough to say yes, my brother (unintelligible) for his share of (unintelligible).

They're not. I mean we've had this discussion (unintelligible) many issues with (unintelligible). This the council is primarily fishermen so having the fisherman and (unintelligible) causes the (unintelligible) for understandable reasons.

You know so I have a hard time believing that vision of the councils rather than the agencies (unintelligible).

Man: I'm not - I don't take any exception to what you're saying but the law says this is how it's been set up. Now we could go propose a change in that law.

But that's the catch share policy itself doesn't have the ability to say something contrary to what's been set.

Woman: I mean that's the inherent (unintelligible) council system, right? I mean (unintelligible).

Man: So just following up on Monica's point about you know cost recovery you know not the same thing as collecting a royalty but it is moving to share some of the burden.

The one mechanism that's available for fisheries management that collect some contribution back to the fishermen for the administration enforcement and data collection cost of fishery management.

It's not available for any other type of management under the Magnuson Act. So there is some recognition that these fisheries are different and Congress in final determination for royalty (unintelligible) as they laid it out is permissible.

Our position in the policy is any council that wants to work with us to - if they want our advice on how to design a system, there are hundreds of different ways to collect royalties.

Point out in the policy that the royalties go to the (unintelligible) administration fund, though some go back to the fishery in which they were taken so there are benefits back to the industry that support it - contributed to those funds.

I think we tried to again be responsive to what the requirement was in the act, point in the direction but I don't think we have the ability to say anything contrary to what (unintelligible).

Woman: But is something that (unintelligible).

Man: The discretionary, the increment like in terms of the cost recovery provision, (unintelligible) the general council from the agency (unintelligible) the incremental costs (unintelligible) today at the beginning.

Woman: Right, is it a catch share cost or a...

Man: Catch share, it is a cost that's attributable to the additional cost of catch share, will this put the - and I think the inherent Congress originally was to cover costs for policy.

Woman: Well I would say we haven't used general council, this predates our administration so if it's a policy that our general council's office has implemented - I'm sorry, I sound like a bad cartoon character. I need more cold medicine.

You know if there is a policy that we need to reexamine, send us that comment unless you already have and we'll look at it. We have a (unintelligible) and I'm happy to ask for - dig into it going forward.

And see if you know our interpretation of the law is off the mark or (unintelligible) certainly not that we the task force address beyond you know the - what Mark said, where we looked at there is authority and we do want to move in that direction, certainly (unintelligible).

So it's back - I mean the truth is there will be a lot of pressure. Once these fisheries are profitable, if we could get them under control these systems will - there will be pressure on us to recoup the costs.

I think you know...

Man: They said that (unintelligible).

Monica Medina: Right.

Man: License now is not (unintelligible) protect cost recovery but now they move to a system where they want to buy that same type of fishery because they realize they shouldn't (unintelligible) at the beginning.

But once you realize (unintelligible).

Monica Medina: Well but I think the problem with the fishery is - people are out there catching the fish right now and we have no (unintelligible), right.

Man: I think the bottom line of this issue for us in the policy was information and education and the private work of the (unintelligible). Work with the stakeholders to talk about it, it doesn't have to be total cost recovery doesn't have to be royalties for the first year.

The design system over time for a transition period, that's fine, recognizing that - I think all of the statements that we could find we're having this discussion about royalties getting one up, acknowledging what the benefits are, trying to recapture something of value to the public (unintelligible).

Back the fisheries, the benefit (unintelligible).

Woman: Keep going, we won't go back.

Man: To me it brings up a couple policy questions about what the actual problem, trying to frame that to be better to say okay, so let's manage fisheries incrementally at the time with them learning at the time how to manage fisheries.

As long as they had (unintelligible) economic factors (unintelligible). Now we have the capability to manage fisheries much better in terms of (unintelligible) anything else, so we actually have the capability to address these other problems rather than the original problem is that we haven't charged (unintelligible).

And so I guess if we look at that as the actual where are we trying to get to in terms of the vision, you know we can say let's move to that over 20 years, realize this prioritization didn't work and try and take that money to try and (unintelligible).

So we could do it slowly over time giving you know full credit to everyone who's in the industry at the moment. The other things I'd say is the importance about terms as well.

So the term catch sharing is very generic and people who have been involved in other - commenting on other plans to see the problems about rationalization.

But rationalization is - I just commented on (unintelligible) and attributing six different meanings to transactional data. So if we're going to rationalize fishery but we don't have a definition of what that means, it's problematic.

And I think the term catch share is a catch all probably not (unintelligible). And I think that speaks to sort of importance is outlining for the public this picture of catch share (unintelligible), at one end we have a ton of options which is (unintelligible).

And at the other end you have the prototype system and if you talk about that or think about that in general terms it's a great amount of people as the public would benefit or a small amount of people going to sit down at the other end of the spectrum saying a monopoly on fish over the access to the public (unintelligible).

Yeah, no one has access to the public fish. So I think there's a real need to spell that out and even graphically spell that out, not just in words but actually do some schematic guidance to say this is your whole spectrum.

You have all rounded choices on the back and you can sort of pick and choose and sort of in the center is something that is balanced, is environmental, social and economic.

I think it says that the price it and pushing it one thing that I worry about from here is the push to council and (unintelligible) both in accounts (unintelligible) but it seems as though the council process and the government accountability (unintelligible) stakeholder participation that (unintelligible) professional policy analyst to go to one council has five different (unintelligible).

Others eight days, they don't run to agenda, you know you have to have a lot of money to participate. You basically have to be in the caravan and participating on the (unintelligible).

Small scale fishermen and family fishermen that are working to provide for their family, they tend to (unintelligible), they simply cannot participate. So I think there's a need to look at other policy tools which we could say a choice model and things like that.

It's actually modern day tools which allow the public, you know the (unintelligible) okay on a specific coast we want loads of seafood and we like towns that have fishing boats and (unintelligible) in Alaska there are so many of us so we just want the royalty money.

But you know in regions (settlement) and we want it at the industry (unintelligible). But to allow the actual (unintelligible) public to participate because at the moment we're very narrowed down to people that actually drive the process.

Monica Medina: That's a tension with any system though, any council.

Man: But it doesn't need to be. And if you look at the national research council when they looked at (unintelligible) another thing the council is a process which can decide the eligibility and things like that.

They may decide to hold (tax). I mean you can take that out of their hands or give them guidance about the public policy that you use to develop better outcomes.

Say rather than spend six years kicking something around, you know concentrate the process to come up with you know an outcome that is actually representative of what the public wants.

Monica Medina: Okay, I hear you. I mean I think the difficulty is they are all - all these councils are all different. They're different parts of the country, different cultures, different types of fisheries, different make up of the fishery.

Different issues, it's - you know we struggled with how much guidance we could give that would impede kind of that ability to - the gap.

And I think that's what Congress had in mind when they created these regional councils. It's a new system, it's not like a lot of other (stacks), it is different.

It does have challenges. I think what we would hope to be able to do is put sort of in this policy implicitly, it's not even explicitly we would want to work with councils as they implement - as they design catch share programs so that you know when we have concerns about the things that are the fundamentals in management we address and get some common design.

And I mean that's something I think I have an even greater appreciation for now that we have the policy (unintelligible) working hard to do more of these at least in this administration.

You know I have a better understanding of how hands on we need to be in working in concert with the council. Whether we're better served by getting them a bunch of rules that they have to abide by or whether we kind of know where we want them to be given the magnitude of standards to work with them.

We're trying to be as transparent as possible and make them as transparent as possible, you know I'm not sure, I think we're erring on the side of the latter rather than the rules based system.

But I hear you. I mean you know there - these are important, the public's resource (unintelligible). So...

Man: And I think the - one last point about transparency, as an analyst trying to look at who owns these services and you know well we're told by council that we're not allowed to know who owns the permits which is not acceptable.

And some of the accountability offices (unintelligible). So if I'm trying to work out who of the corporations are getting this massive gift of a public trust resource, I can't. And I'm trying to say who transferring quota to who and who's getting a shell company, as an agent you can't.

And there is something there about having to deal with monitoring on their trading platform I think should be particularly transparent to everyone in the public so they say here's where we started when we allocated.

Five years down the track we have three corporations only, three (unintelligible).

Man: One point of advice or information, if you have a letter from a regional office, why don't you fax that data, get me a copy of that, that would be great.

Man: Sure.

Monica Medina: Let's go to this end of the table, I'll come back to you, I have ignored the folks here on my left.

Man: The left hand bias, you realized.

Monica Medina: And there's nobody in the queue on the phone, so anybody else on this end of the table, any other thoughts or comments?

(Ellen Bolyn): (Ellen Bolyn), Ocean Conservancy, I'd like to submit comments in writing but I just want to say that it was really helpful to hear you say that the primary goal is (unintelligible).

To the extent that there are tools that can be used to do that in certain fisheries, that's great. Our primary concern are (unintelligible) and overfishing. I think the other concern or question is getting the councils all the resources they need especially with the current data collection.

And that's been the been an issue across the board.

Monica Medina: Everywhere, no matter what kind of (unintelligible).

(Ellen Bolyn): Critical component of the catch share in local fisheries so it's helpful (unintelligible) aware of that, that they're working towards (unintelligible) allocated across all the regions.

Both the goal of the catch share program and the goal of government.

Monica Medina: We are and we agree. Okay so we come back over here.

Man: I want to follow up on this issue of cost recovery which is required in the last revisions. And I've mentioned this before and I think it you know echoes some of the concerns that were stated in the outset (unintelligible).

But I think a lot of us have the concerns, (Ellen) and (unintelligible) too need to assure fish funding and there's very little - you know you talk about (unintelligible) statute but on specific issues like cost recovery, there's very little guidance in the law in terms of how that's going to work.

And you know you are making a policy decision here that that would only include incremental costs from Page 12 of the policy that costs that would not have been incurred but for the last program conceptually measuring the cost (unintelligible).

And you know in reading this in light of the fact that we have very poor economic data generally in fisheries, and most fisheries in the country are not required to report economic information.

And so we get a lot of really shoddy economic analysis and EIS (unintelligible). And now you're setting a very high bar and level of refinement that this cost is a part of business associated with implementation of (unintelligible).

And you know I mean I think what you're hearing is we all think that the lack of (unintelligible) and other management tools, the objective is to implement these administration standards with the requirements of the law.

And so make this distinction that this isn't only (unintelligible) over here but you know separate from what it would be if the (unintelligible) weren't in place.

It seems to me that you're not going to be able to make that distinction clearly with the data you have first. And secondly that you're not making it clear how you're going to (unintelligible) recover the cost of these programs.

I haven't seen any analysis anywhere of what have the existing programs cost? Probably would tell me well we can't do that, we just don't have enough information to know how much of it would (unintelligible) IFQs.

So I'm very dubious and I'm very concerned that in fact there is not going to be any real effort to recover cost in a meaningful fashion so that we're not truly draining money off of other programs.

And I look with great concern and trepidation for instance the amendment to - the ATL requirements in New England as an example right now where you're going to have 17 new sectors able to do.

You had a new target goal for reading standardized bycatch reporting methodology in 2009 which were not met because spending for observers was less than half of what we needed to reach that goal of recovery.

And now you're going to have not just one quota to manage but 17 separate quotas and where is that amount of money going to come from? The amendment for any one (unintelligible) suggests that after the first year the industry is going to be (unintelligible).

And it's really (unintelligible), responsible how? You know are they going to pay for all of that cost and put observers at marks and ensure that they stay within the catch and bycatch quotas?

I mean you know this is just sort of the trust me philosophy that is not going to work and I'm really concerned that we're already under-funded to do a lot of the data collection needed for ATL implementation.

So I would be curious to hear what - how you envision cost recovery (unintelligible). Again it's extremely vague to me but it does seem to me you're establishing a rather important policy condition here about incremental costs.

Monica Medina: All right, (unintelligible) again. It's a very valid comment, I understand it. I think we're moving towards a system where we can actually do that. The system we have now, we can't do it at all. And so to me this is about you know about recouping our own costs and keeping our agency going.

But it's also about kind of the true environmental costs of any resource extractive activities. I mean the public resources need to understand that. I think some of it will depend on what the council itself does, but as I said it's the fisheries that are becoming more profitable.

There will be pressure to recoup more of the cost and I take your point on incremental and we'll look at it and you know I mean I see it here. I think we did this because of our own legal opinion.

If there's a basis for us to go back and you know this comes from an interpretation, not word for word from the statute, then I will go back and ask our new GC to take a look at it and see if there's a way to do more than this.

I think you know we are trying to make a transition here and we're going from the system where fisheries pay nothing to be able to fish and take

(unintelligible) to one where there is you know true recognition of the cost and recruitment effort.

So give us time. We don't have a particular step by step way which we're going to do it, as councils take the catch shares, but we hear you. I mean I don't know what more I can say other than that we are mindful of the point you're making.

And we're trying to make that turn and do it in a way that will get us long term acceptance of the - this kind of cost recouping. The last thing we want is for Congress to come in because we go too hard and fast (unintelligible) customs paying the costs and they don't have the ability to pay them now.

And Congress says they can't do that. You know we're trying to do this in a way that will have a lasting impact. It's a mind set for the practices that have grown up over decades.

So - but we hear you.

Woman: I think maybe the next goal challenge would be to have like an open mic area where people from the community (unintelligible) can come and give the (unintelligible) and maybe better understand (unintelligible).

It would be very beneficial (unintelligible). And maybe all these things that (unintelligible) because you know you have a (unintelligible). So...

Monica Medina: I appreciate that and appreciate you know the compliments on the policy, it really it is our job to write a policy that (unintelligible) here and that is - you know and to run a process that's transparent and seeks stakeholder input.

So I mean I feel like this is what we should be doing and we think the - it's been good work but you know I look at it as what we're supposed to do. And as for getting feedback from the councils we are trying to go to each and every one where you know they're busy, their agendas are full. But we are...

Woman: Session, (unintelligible).

Monica Medina: We're trying to do that everywhere. Our biggest problem and you know I just - you know as I sit here with a cold that I can barely breathe, we are - we don't have as many political appointments yet in NOAA as we are supposed to.

And it just makes getting all these places really difficult. And you know we have been sending you know some of the mid tier staff but a lot of times people want to hear from the new Obama administration.

So we're sort of stretched. But we are trying to get there. The reason that you know our staff whether they're you know senior staff or political folks, all of us are capable of doing this listening and you know so we're doing the best we can to make all our resources stretch at that you know top level.

Because I think people do want to know that leadership is listening to them, national leadership. So - and we're doing the best we can to get to everywhere that we possibly can.

And that's why sometimes these calls you know are not the greatest substitute but we'll keep doing them because they are a way to save you know tax payer dollars and travel, you know carbon, wear and tear on the people.

But we are trying to get to every council meeting and every council meeting where they can accommodate us and even sometimes when you know it's kind of coming in at the last minute.

There's one in New England next week, you know I'm hopeful that we'll have a local person there to get feedback on these policies. And you know so I take that point very seriously.

Man: On that note just to make sure it's said, on behalf of all of us thank you for doing this today when any sane person would have said you know, I've got a really, really bad cold.

But you did not do that, so we appreciate the above and beyond the call of duty today.

Monica Medina: It's my job. No thanks required. Sorry I can't sound more clear. Yes?

Tim Fitzgerald: Tim Fitzgerald, EDF. Not necessarily as a comment on the policy but I just want to echo what Mark and I think a lot of people are saying today either directly or indirectly which is you know we all want fisheries that have compliance with catch share to have reduced bycatch, to have better fisheries information, improved profitability and better safety records, those kinds of things.

Obviously you know we think that catch share is overall the best way to achieve those goals but certainly things in cases where catch shares aren't appropriate that whatever other management approach is considered or implemented, should you know reach those same targets.

And hit that same level of performance and not the whole catch share different mark just because it's the new thing that you know NOAA is talking about and pushing out to the council.

And we think that the policy strikes a balance of not being overly prescriptive but saying that these things going forward and we certainly wouldn't say that you know there's one catch share design that is appropriate across all fisheries in the US, that's just silly.

And you know we've tried to look at this from you know all possible interpretations and have done a design manual 150 pages long, it goes through each kind of major issue and says if you want a design for maximum profitability do this.

If want a design for maximum (unintelligible) you do this. But I think you know we would certainly say that design is crucially important and obviously you guys are thinking about that going in and we just (unintelligible).

Monica Medina: I agree and you know appreciate that and appreciate all the work that all the groups have done to help us along this way. And you know I think we are not perfect and we are going to need to you know do things.

You know there are times when we may make a misstep and we're counting on you to tell us.

Man: Don't worry.

Monica Medina: But we're - you know we have the best of intentions, we do really - you know I have this dream that we get to a place where our fisheries are well managed and they're sustainably managed.

And there is a future for fishermen and fishing communities and the resource and you know I you know that's what keeps me going.

Woman: So we talked a bit about sharing information and (unintelligible). And I want to go back to that just for a minute on the back of recovery under number three (unintelligible) a variety of meetings to do that.

And you know I had participated in some of the meetings. I don't really want to call it a workshop but information session that have happened on catch shares and council members and related folks.

And I felt like a lot of the information that was provided was somewhat skewed toward privatization assets, so things that are not necessarily about conservation and management of the fishery but more about you know how it will benefit the fishing players.

And I understand that that was probably necessary in a certain setting to help get folks who might be impacted by the new management on the side of thinking about catch shares and supporting catch shares.

But going forward my request is that there is more information for people who maybe are not fishermen or you know members of the general public or smaller scale fishermen who are not going to have the same outcomes that some of the bigger folks that have a long term history.

You know some of the smaller fisherman that I work with felt confused by the information that they had received and thought that they were going to still be a participant in the fishery of the future and we were going to (unintelligible) about catch share management.

Only to find that they are completely disenfranchised and are not participating in fishery any longer. So I am going to volunteer that I or members of my staff or anyone that you should want would love to come and participate at the workshop as someone that could talk about sort of the whole picture.

Not you know so people are going to do very well in different systems and (unintelligible). Some of you might find yourself out of a job and so you know sort of coordinating a community approach and ask that management of the fisheries for people really do understand what the outcome is.

Monica Medina: I hear you. We'll gratefully accept your offer although a lot of the workshops are organized by the councils themselves, we're only a little bit but we can certainly give our input.

And I think the question of allocation and you know kind of would a catch share put people out of jobs or whether you know overfishing puts people out of jobs is sort of the conundrum here because with allocation people do get shares, right?

So it looks like that's what puts someone out of a job but really it's as much about - that may be the way that one individual or another ends up without a job but that's certainly you know a potential no matter what.

Because the problem is you don't have enough fish and - right, people have the illusion, right, of being able to fish but really aren't able to make a living at it.

And we've seen reductions in all these fisheries where things are - where things haven't been managed well and there is overfishing. And that's a very sad reality.

Woman: (Unintelligible) versus other types of fishing, that's in the design of the program. And so you know there are some people who would say (unintelligible) is devastating and some people have (unintelligible) fish. But those are decisions that are part of the design.

And I think should be discussed (unintelligible) developing programs what your fishery looks like in the end. Do you have some small scale fishermen that you're (unintelligible) and controlling?

Do you have three big companies that you're controlling? All of things are you know a part of what you hope the future of fishing looks like.

And so I think it would be important to start including in discussions in the workshop and the training you know bring in some international experience, maybe (unintelligible) Iceland, places where you know the catch share programs have been highly successful.

So we have some program comments and take the lessons that are available to us globally and bring that to the United States so we're moving forward, we ought to be thinking what's the best way to design a catch share program for a particular fishery.

And talking about this during the workshops and communications and maybe (unintelligible) the information that's provided is not (unintelligible).

Man: I think we consider that point, the actual language in the public (unintelligible) and also provided the comments. I think at the moment it's kind of worded vaguely and I think what you're trying to say is that we've seen sustainability in change, in making economic allocations of access to achieve the (unintelligible).

We've got the resource to make allocations of that to achieve what the public wants (unintelligible). We've got an economic allocation towards the sharing the fish to achieve what we want.

I think that needs to be clear in the policy sense, that it's very much about public value and the vision that you're trying to achieve. And the other thing is...

Monica Medina: We've got lots of public value, (unintelligible) fish these too like we don't want this to be compensated for their resources, they want....

Man: Right, they want (unintelligible) too direct payment in their pocket for the use of their resources, their (unintelligible). There's a whole range of (unintelligible).

Monica Medina: Yep.

Man: So I just think that that's important that we being the consensus and let's get the catch limits (unintelligible) underneath that, let's just secure that, what we're trying to do is make economic allocations in an active way to achieve a social outcome.

And the second thing I'm curious about is what you're thinking strategically in terms of the role of the agency at the council - because the councils at the moment are really moving forward before the catch share plan.

Basically (unintelligible) the right thing and you know (unintelligible) at the time you're developing a national policy segment and it doesn't seem to be a lot of connection between the two.

So you're working on this and I guess you'll be working on it for quite a lot of 2010. At the same time the councils are pushing through and developing design actively.

Monica Medina: I hope that we'll be (unintelligible) fiscal year 2010? No, I really hope we'll be done with the policy you know by the summer and we you know can really shift all our attention to helping the council with design and implementation.

And really becoming much more actively involved in their processes that are ongoing and creating an environment where they want our help and where we can add value and bring you know our perspective early on in the process.

And you know make sure that the Magnuson Act standards are being met, you know that we're able to hit all our marks. And right now I do think we are not leadership stretched but the folks who are working on the policy have been working on the policy so it's hard for them to keep track of what's going on in all the councils.

I'm really hopeful that you know once we have the policy done it will you know I'm sure there will still be people who would rather see it one way or another, we won't please everybody.

But we'll at least have a policy in place that we really can shift to the place where it matters which is ending plans, ending the program and really use all our you know bright minds to be doing that activity.

The policy is important, don't get me wrong, I think it sets a tone. It explains our objectives, you know it gives that encouragement to look at these systems.

But really the most important work will be in the implementation and design phase of specific programs. So...

Man: So is there any possibility for us in council to pause their progress until you (unintelligible) basically align and then all move forward together on this journey?

Monica Medina: Well I think we are already moving forward - I mean this is a draft policy, there's a lot here for them to look at and consider. And I think we don't have the luxury of waiting the Magnuson, you know.

Yeah, I mean we have the luxury of doing catch shares (unintelligible) I suppose but if that's a tool to getting - to ending overfishing, now is the time. We don't - we are mindful of the fact that we have all these other Magnuson deadlines that are coming upon us.

I think the councils are working really hard. So you know we have to be there with some I think not be (unintelligible) are good. So...

Mark Holliday: And I don't know if we're really that far out of synch with what the councils are thinking and doing. I mean I think there's a lot of effort ongoing now with regional staff, headquarter staff trying to provide discussions, the forums for discussions about catch shares design.

And it's not just for the council, if you look at the back page of activities that NOAA recommends doing, we're trying to stand up a lot of these (unintelligible).

So we think the key is to try to get out to people in communities, talk about how catch share is going to affect them. Just before the (unintelligible) proposal on the table because if we can stop the people and say you've got decisions coming up in the future that will affect your livelihood within the community.

Here are some tools that you need to consider, here are some actions you might want to be taking. So provide access to that kind of information, talk about how to set up a community sustainability (unintelligible) design permanent (unintelligible) provide support for them to find out whether or not a catch share.

But we talk about empowering fishermen with policy, that's the kind of thing we're talking about. So it's not just you know holding the council's hand, getting them to deduct the council profits.

But we're trying to get out information to people about why catch share would or wouldn't be good for them and what they should be doing, thinking about in the future.

Again we're not waiting, these are things that we believe in and think would be important to know no matter what the policy boundary says.

I think (unintelligible) this we're going to have some form of policy on catch share that wouldn't contradict trying to keep people informed about what catch share program could or couldn't do.

Monica Medina: We didn't need a catch share policy for any council to do catch share. So...

Mark Holliday: So you know in terms of you know do we need to pause and wait for the policy to catch up with the council, for the council to catch up with the policy, I think we need to make sure that we're on different tracks to be on the parallel tracks and converge.

But I don't think we're - no, we're going at each other, we don't want to collide. But parallel tracks that will eventually (unintelligible). I don't think we're that far out from where the councils are going considering catch share.

And if we do begin to do some of these things that we think are important for informing people, providing them tools, providing expertise, providing best practices, I'm not sure there's that big of a gap.

Maybe I'm naïve, maybe my big gap or your big gap is your small gap, but...

Man: We've all said, I mean some level of (unintelligible) discussions seem to be the policy is too general anyway, and so there's nothing - if our concern that the policy is too general and more guidance needs to be given, then you know (unintelligible).

Mark Holliday: Right, but I think Monica - I'm sorry, I just want to (unintelligible) that's where this is really going to make a difference.

Man: No, I agree with you.

Woman: I think it's important that funding is on track but that funding is also (unintelligible). Sometimes when we don't have (unintelligible) to do that.

Monica Medina: Communicate the gaps leads to misunderstanding or you know - right, or we miss something.

Woman: So I think that you know that's really important.

Monica Medina: Couldn't agree more. (Sarah)?

(Sarah Jones): Just really discuss or a commentary on (unintelligible) between here and there (unintelligible). What you said Mark makes a lot of sense. I read this more as a guidance for consideration of catch shares rather.

And I appreciate the balance that you tried to strike but I read it more as a guidance for consideration rather than a guidance for implementation. And I think that what I'm hearing is that we need a little more details to know exactly what is NOAA is encouraging the councils to consider.

And knowing that the councils are already going ahead with catch shares programs, what I found was missing in this policy and what really should be there is any detailed and clear guidance on - because these are new markets that are working right now on rigorous monitoring and oversight regulation of these markets that are going forward.

Monica Medina: On the shares.

(Sarah Jones): Yes, yes. And I see that there's somewhere in here that is you know iterated as a goal to create oversight. But I think it should be more detailed and more clarity on that before (unintelligible).

Monica Medina: Point taken. I mean we are - we'll do the best we can and I think as Mark said, if people are not giving you information even if we haven't gotten the bank set up yet, you know or completely transparent way for people to follow that, we want to be able to give you the information.

We may not have it on computers that you know the public can access, but if you're finding that we're not being open, that's - you know not giving you that information, telling you (unintelligible) like that then we'll work on that.

Yeah, Carmen are you the - do you have a question? I know - I think we've lost everybody else on the phone, we've outlasted them.

Maybe we lost the whole call, I wonder - we'll try and check on that and again as I said we have to do more of these because this has been difficult, we will - you know I apologize for us not having a better phone.

That made it sound (unintelligible) but if people on the phone to hear what was going on, so if we need to we'll do another one.

Woman: I just - on behalf of Environmental Defense Fund sort of want to thank you all for convening this past (unintelligible), having these stakeholder meetings and want to thank you for being here when you're feeling bad.

So thank you very much and we really congratulate NOAA on these bold steps forward towards sustainable fisheries (unintelligible) fishing all the hard

and soft (unintelligible) hard choices that you guys have all had and thank you so much for that.

And we know that catch shares are proven to end overfishing, we know that they are not one size fits all. They can be designed in any local social conservation or economic goal that a community has.

And we often see them - conventional management has apparently failed, it's failed fishermen, it's failed the resource, it's failed communities and we see catch shares as a good way to meet the congressionally mandated deadline in Magnuson.

Under conventional management what we're seeing are ever shortening seasons and long term closures of many (unintelligible) and it doesn't have to be that way.

We know that under catch shares at least some people can continue to fish while the stock recovers versus under conventional management often times fishermen have to exit the fisheries with nothing.

So we really congratulate your work on that.

Monica Medina: Thank you. That is our job so no thanks necessary but we do appreciate all this input that people are giving us. Anybody else? Yes, go ahead.

Man: I know people want to go home and so I just want to ask this question goes to the monitoring data question, the page when you talk about the fact that (unintelligible) and catch share (unintelligible).

So the (unintelligible) panel temporary work group of NOAA council dates and other experts to provide timely basic advice and guidance to council.

Just wondering if you can elaborate on what this is and how - and plug into it.

Monica Medina: You know I think it probably - what we had in mind was the need to get individual input from task force members. But if you have a suggestion on this please give it to us.

You know federal advisory committee action means that we can't get consensus advice but we really do want individual or you know individual group's advice. And that's what we're seeking and you know so...

Mark Holliday: To the point specifically I think the intent here was that we form a workshop or bring together people so that we could deal with the second issue in the form of we're holding a workshop, inviting people to talk and bring information about design (unintelligible).

We have people involved in the different regions of the program and lay out a number of panels and sessions where we talk about issues handled by - talk about costs, talk about service delivery models, talk about policy aspects, about (unintelligible) appropriated funding.

And have that as a session where we just bring - this is something that every council (unintelligible) about use a format of a workshop to do that.

Monica Medina: Yeah, I think maybe work group probably applies in terms of what you call workshop.

Mark Holliday: Well working has to organize, the venue would be where we have a couple sessions (unintelligible) and have that discussion, the result of which coming out of the workshop is (unintelligible) that would be then be said in these circumstances (unintelligible).

Decisions that people take good bad or indifferent, here's how it (unintelligible) features, make your choices (unintelligible).

Man: It seems to me that this is kind of - ought to be elevated to a much higher level, particularly if you've got catch share programs with the (unintelligible) where it's said the industry is ultimate held responsible for capturing the data.

And launching programs (unintelligible) otherwise, I think that all this being left up to care and given the state of under-funding for (unintelligible) program nationally you know it's just not enough to say well you know we're going to - I think it would be a really nice idea to hold a workshop and get together.

Well I think it would be a great idea, but I think they need a higher profile and (unintelligible) our informed colleagues (unintelligible).

Monica Medina: Okay, we will.

Man: But I think the issue of funding for it and the issue of the technical aspect I think are really to - a product of (unintelligible) workshop about how we organize it (unintelligible).

I think that the issue of how funding is derived is (unintelligible) but you expressed a concern about how we're going to fund (unintelligible) costs a lot

of money and how we're going to (unintelligible) workshop (unintelligible).
You know getting more appropriated funds (unintelligible).

Man: No, I hear you but if you're talking about current delivery problems, you already have at least the council that I know of where (unintelligible) session and consideration of (unintelligible) values attached to pay for observers.

And so not you know something brand new and it's going to be part of the discussion with service delivery models.

And would be really relevant but I think all of those issues, (unintelligible) really critical stuff that I think should precede you know Ben said earlier and I think your point well taken that you know putting cart before horse in one way.

Saying let's do this and there's so many details here that I think need to accompany (unintelligible) data to know whether you're really complying with the catch share. And any program or...

Monica Medina: Or any other, we don't - you know we need that data period.

Man: Good idea, I - but it sounds to me like it's still kind of in session phase. So (unintelligible).

Mark Holliday: I think that everything that was you know from Page 6 or 7 on when you start describing that these are activities that NOAA feels would be useful in terms of catch share program, these are the ideas.

Monica suggested earlier that not all of these things are the same for (unintelligible), some would be done (unintelligible). There's more detail - I

mean we limited it to 20 pages so we could write more - we could have written more.

Yeah, we discussed it at task force, talking at Page 5 and it talks about successfully (unintelligible) we have this other quasi-implementation strategy about things that we think would be valuable to consider to move a policy statement forward. And that's what the rest of the section talks about.

Man: Well that's for putting that in.

Monica Medina: Great, and we'll try and do it. I believe we got - like I said I want to get past the writing of the policy so we can do the duties of the policy. Yep?

Woman: One last question, you mentioned the possibility of a new (GC) coming on board and I know along with it sometimes (unintelligible) position (unintelligible). Is there any possible new thought (unintelligible) or?

Monica Medina: It's a fair question, I don't blame you, sure a (GBC) is Lois Schiffer who was the Attorney General for the Environment Division of the Justice Department for the Clinton administration (unintelligible) that was experienced on board.

The fisheries administrator position is you know (unintelligible) who are very actively trying to recruit the process on optimistic, hopeful that we'll have someone in it by the time this catch share policy is - you know by the time the comment period is over.

And I would really be grateful, I mean I'm hopeful that a new administrator would actually be in office (unintelligible) the end of the comment. That's something that I've always thought would be really, really helpful in this process with the new administrator.

Woman: I hope so.

Monica Medina: But I can't say for sure and I don't have a name and - but you know we've been trying to fill it since day one.

Man: We've never been closer.

Monica Medina: Thanks a lot. Yeah, anybody else on the phone?

Carmen Revenga: I think I'm the only one left on the phone, this is Carmen again. I just wanted to thank you, it's been a great discussion and if our TNC field projects can help with information in our experience on the ground just let us know, we're definitely willing to help.

Monica Medina: We'll call on you and everybody else who's here, obviously you're here because (unintelligible) you want to see us do this well and right and we appreciate that very much.

We will keep you posted and call on you to help. Thanks bye Carmen. Any of those things, and look forward to continuing this dialogue.

Coordinator: Thank you.

END

NOAA Representatives

	First Name	Last Name	Organization
1	Monica	Medina	NOAA Special Advisor to the Under Secretary
2	Mark	Holliday	NMFS Office of Policy
3	Jessica	Dutton	NMFS Office of Policy
4	Laurel	Bryant	NMFS Communications and Outreach

Stakeholders In the Room

	First Name	Last Name	Organization
1	Ben	Bowman	Food and Water Watch
2	Marianne	Cufone	Food and Water Watch
3	James	Mitchell	Food and Water Watch
4	Ellen	Bolen	Ocean Conservancy
5	Ken	Stump	Marine Fish Conservation Network
6	Mary Hope	Katsouros	MK&Co
7	Michael	Hirshfield	Oceana
8	Sarah	Jones	Pew
9	Tim	Fitzgerald	Environmental Defense Fund

Stakeholders On the Phone

	First Name	Last Name	Organization
1	Mandy	Ford	Moore Foundation
2	Amy	Kenney	Fisheries Leadership & Sustainability Forum
3	Diane	Regas	Environmental Defense Fund
4	Carmen	Revenge	The Nature Conservancy