

UNITED STATES OF AMERICA
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DEPARTMENT OF COMMERCE
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NATIONAL OCEANIC AND ATMOSPHERIC

ADMINISTRATION

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NATIONAL MARINE FISHERIES SERVICE

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HIGHLY MIGRATORY SPECIES ADVISORY PANEL

MEETING

+ + + + +

WEDNESDAY,

FEBRUARY 18, 2009

+ + + + +

CROWNE PLAZA

SILVER SPRING, MARYLAND

+ + + + +

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

2 MS. SCHULZE-HAUGEN: [in progress]

3 members to identify themselves, tell us a

4 little about yourself. If you're here as a

5 proxy, please tell us who you are

6 representing, and a little bit about yourself,

7 if you can. And then I think what I'll do is

8 open up the agenda if there's any discussions.

9 There is one update I wanted to share with

10 you, that we had set aside some time tomorrow

11 afternoon for a bycatch update. That was

12 going to cover a variety of topics that are on

13 the agenda here, but because we have some new

14 analyses from the Southwest Fisheries Science

15 Center on some bycatch reduction measures, and

16 effectiveness of current measures, that we

17 want to give that some time.

18 And so what I've done is moved a

19 lot of the things that we were going to talk

20 about tomorrow into the overview presentation

21 that I'm going to give right now.

22 So the overview presentation is a

1 bit longer than we had anticipated, but we are
2 going to try and still cover all the same
3 issues, just in a different place.

4 So with that, I guess I should say
5 that I'm Margo Schulze-Haugen. I'm the
6 Division Chief of the HMS Management Division.
7 And so let's go around, and hopefully all AP
8 meetings are at tables with mikes, cause we
9 are recording this. We do ask that you speak
10 into the mike. And why don't we go ahead and
11 get started. Tell us who you are.

12 DR. GOLD: John Gold, Texas A&M
13 University.

14 DR. GRAVES: John Graves from the
15 Virginia Institute of Marine Science, here,
16 representing the ICATT Advisory Committee.

17 MR. SKOMAL: Greg Skomal, fishery
18 scientist with Massachusetts Marine Fisheries,
19 representing the State.

20 MR. JAMES: Steve James, the
21 Boston Big Game Fishing Club, and representing
22 recreational interest.

1 MR. RUAIS: Rich Ruais with Blue
2 Water Fishermen's Association and East Coast
3 Tuna Association.

4 MR. HUDSON: Rusty Hudson,
5 Directed Shark Fisheries.

6 MR. SAMPSON: Mark Sampson, Ocean
7 City Charter Boat Captains Association.

8 MR. SCHRATWIESER: Jason
9 Schratwieser, International Game Fish
10 Association.

11 DR. HUETER: Bob Hueter, Moat
12 Marine Laboratory.

13 MS. FORDHAM: Sonja Fordham, Ocean
14 Conservancy.

15 MR. MILLER: Shana Miller, Tag A
16 Giant Foundation.

17 MR. PRATT: Ralph Pratt, new AP
18 member, commercial bluefin, rod and reel.
19 I've been a spotter pilot for 20 years, and my
20 son is a full-time harpooner.

21 MR. WEINER: Chris Weiner, East
22 Coast Tuna Association, and tuna harpooner

1 from Portland, Maine. Bluefin.

2 MR. DEBERSIA: Tom DePersia,
3 Stellwagen Bank Charter Boat Association.

4 MR. WHITAKER: Rom Whitaker,
5 Hatteras, North Carolina, representing charter
6 boats and Hatteras.

7 MR. PINEIRO: Eugenio Pineiro,
8 Caribbean Council.

9 MR. PYLE: Vince Pyle, fishing
10 vessel Carol Ann, and Blue Water Fishermen's
11 Association.

12 MR. PANACEK: Ernie Panacek. I'm
13 here as proxy for Gail Johnson. I'm with
14 Bluewater Fishermen's Association, and also
15 Viking Village in Barnegut Lake, New Jersey.

16 MR. STONE: Dick Stone, ex-NMFS
17 fishery consultant, representing the National
18 Marine Manufacturers Association.

19 MS. STILES: Margot Stiles from
20 Oceana, and I'm here as a proxy for Elizabeth
21 Griffin.

22 MR. DELANEY: Glen Delaney,

1 Blackberry addict, here with Bluewater
2 Fishermen's Association, and later in the
3 meeting, I guess tomorrow, when we talk about
4 blacknose sharks, I'll be speaking on behalf
5 of the Southern Shrimp Alliance.

6 MR. CUPKA: David Cupka, South
7 Atlantic Fishery Management Council member.

8 MR. HENMAN: Ken Henman, National
9 Coalition for Marine Conservation.

10 MR. FISHER: Myron Fisher,
11 Director, Louisiana Marine Biological
12 Laboratory.

13 MR. LOEFER: Josh Loefer, South
14 Carolina Department of Natural Resources.

15 MS. SCHULZE-HAUGEN: Okay. If we
16 could go back, I think Curt moved just to the
17 table.

18 MR. BLINSINGER: Curt Blinsinger,
19 Bluewater Fishermen's Association.

20 MS. SCHULZE-HAUGEN: And you're
21 proxy for...?

22 MR. BLINSINGER: Bill Gerencer.

1 MS. SCHULZE-HAUGEN: Okay. Thank
2 you. Now if we could go just around the room,
3 folks could just let us know who you are.

4 MR. CODDINGTON: Ron Coddington,
5 Southeast Swordfish Club.

6 MR. PALMER: Tim Palmer, Buoy Gear
7 Sword Fishermen, Florida, East Coast.

8 MR. AUGUSTINE: Pat Augustine,
9 Midatlantic Fishery Management Council.

10 MS. SCHULZE-HAUGEN: Do you not
11 have mikes? You won't be recorded if you're
12 not speaking into a mike. So we need you to--
13 you won't be recorded. Anything you have to
14 say will not be recorded if you're not--
15 there's mikes here, and seats up here.

16 (Off-mic comment.)

17 MS. SCHULZE-HAUGEN: Have I missed
18 any other table? It is very hard to see you
19 in the back. We might want to move the tables
20 a bit, so we've sort of got line of sight.

21 Are we now ready for members of
22 the public? Please.

1 (Off-mic comments.)

2 MS. SCHULZE-HAUGEN: All right.

3 Well, thank you very much, everyone.

4 A couple of other updates. Steve
5 Durkey, who identified himself here, is our
6 new Sea Grant Fellow. He'll be with us for a
7 year. Our fellow last year, Jess Beck, is now
8 with the Southeast Regional Office Aquaculture
9 Program. So you may continue to run across
10 her in your paths.

11 And I wanted just to share with
12 you that Craig Cockrell, who had been with us
13 for a while as contractor, started as a full-
14 time employee on Tuesday. So we're happy to
15 welcome Craig to the federal family.

16 And with that, were there
17 additions, comments on the agenda?

18 Okay. So apart from the change on
19 moving some of the topics to the overview
20 today, I think we have a full agenda for
21 today. One of the things I wanted to point
22 out is I would like to try and focus the

1 discussion on ICCAT and bluefin issues to
2 today. We do need to come back tomorrow
3 morning and start talking about Amendment
4 Three. If there's a need to stay long, we're
5 prepared to do that. If we have time at the
6 end of the day tomorrow, and want to circle
7 back to some issues, we can do that as well.
8 But we do need to make sure to cover the
9 Amendment Three issues first thing in the
10 morning.

11 So I'm going to try to stick to
12 the schedule as best we can, give everybody a
13 chance to talk, and cover all the issues.

14 So with that, I'm going to go
15 through, as we've been doing the last several
16 meetings, what we've been doing since we last
17 met in September/October, and some of the
18 statistics are that we have published three
19 proposed rules, one final rule, with one more
20 in progress. We held all the hearings on the
21 draft EFH amendments, finished scoping for
22 Amendments Three and Four, released the

1 predraft for Amendment Three. So far I've
2 issued seven EFPs, SRPs, LOAs. Those are
3 exempted fishing permits, scientific research
4 permits, and letters of acknowledgement.

5 We have several that are in the
6 pipeline, so that number will go up
7 considerably. And so far to date, we've held
8 ninety of the Protected Specifies Handling and
9 Release Workshops and Shark Carcass
10 Identification Workshops.

11 We've got about 2300 people on our
12 ListServ. That's turning out to be a pretty
13 effective way of getting news out very quickly
14 to folks. Not everybody, believe it or not,
15 has a computer yet, so it doesn't reach
16 everyone, but the numbers are increasing.

17 For EFH Amendment One, as you
18 recall, the consolidated FMP was where we
19 presented the first phase of updated data, and
20 then Draft Amendment One, it was Phase II.
21 We're actually going through the process of
22 updating essential fish habitat boundaries,

1 analyzing fishing impacts.

2 You can see the schedule there.

3 The amendment did propose a new habitat area
4 of particular concern for Gulf of Mexico, for
5 bluefin tuna. And just to remind folks that
6 that isn't a new time area closure. A habitat
7 area of particular concern identifies the area
8 as unique and of importance to bluefin tuna
9 for spawning, and requires other federal
10 agencies to consult with us if they're having
11 any impact, or potentially having any impact
12 on the habitat. And so it's an important way
13 for us to let other federal agencies know the
14 importance of that area for bluefin.

15 The comment period closed mid
16 December and we are now in the process of
17 going through those comments, and preparing
18 the final amendments, and anticipate releasing
19 that, spring or summer timeframe.

20 On Amendment Three, as I
21 mentioned, we have finished the scoping
22 process, and so that we released the scoping

1 summary of all the comments received during
2 that process, Christmas Eve, and released the
3 predraft to consulting parties. Hopefully you
4 all got that over the e-mail last week.

5 We do have hard copies in the
6 back, we should have enough, for anyone that
7 wants one, and we'll be spending a lot of time
8 on that tomorrow morning.

9 We are asking for any comments to
10 come in by March 16th. We are looking at a
11 time period where we want to get that into the
12 proposed rule stage as quickly as we can.

13 For the Caribbean amendment,
14 Amendment Four, which will address authorized
15 gears, permit and data collection, Puerto Rico
16 and USVI, we also have finished scoping and
17 released that scoping summary about a month
18 ago, and at this point we are working on
19 outreach materials, coordinating with the
20 territorial governments, the Caribbean
21 Fisheries Management Council on next steps,
22 and going from there. We're planning on

1 attending the Caribbean Council meeting in
2 March.

3 One of the rules that was proposed
4 and finalized, since the last April meeting,
5 is the 2009 Shark Season Rule. This is where-
6 -it's the annual process following on from
7 Amendment Two, where the Amendment Two
8 established the base quotas, and then the
9 annual specifications process is adjusting for
10 over and under harvests. Also establishes the
11 opening date for the fishery.

12 One of the changes from Amendment
13 Two was that all shark fisheries will close
14 December 31st, and will not reopen until we've
15 gone through the process of making sure quota
16 is available. In this case, the final rule
17 published December 24th, and with a 30 day
18 delay in effectiveness, that meant the opening
19 date for all shark fisheries was January 23rd.

20 This was a bit of a surprise for
21 small coastal and pelagics fishermen, where
22 they hadn't gotten used to closures like some

1 of the large coastal fishermen. I think it
2 was a bit unique, in that with the Amendment
3 Two opening fishermen late July, wanting to,
4 needing to have some landings information, so
5 we actually had something to adjust based on,
6 meant that the rulemaking this fall was a bit
7 delayed than what I expect it to normally be
8 in a year, such as this year where the fishery
9 opens earlier.

10 And so I don't expect we would
11 have a similar delay like we did this year.
12 But just so folks know, that is a change.
13 This is the first year, or so, I think. We're
14 learning, as are the fishermen, on some of
15 these changes as we work through them.

16 Also part of this process, the
17 20098 Shark Research Fishery is underway. For
18 this year, we had ten vessels that applied,
19 and seven that were selected, and they are out
20 fishing now. So that's continuing.

21 The Florida fisheries disaster
22 declaration is still under review by the

1 Agency. To note, there is a general proposed
2 rule out on disasters, and the procedures and
3 criteria for them. That's in public comment
4 right now.

5 For the swordfish specifications,
6 this is a rule that published during the ICCAT
7 meeting November 18th. The comment period was
8 extended through January 16th. This rule was
9 adjusting for 2007 under-harvests, as well as
10 a proposal to allow charter arrangements using
11 foreign vessels. This was something that came
12 from industry, for a request to increase
13 landings of swordfish, and we have gotten all
14 the comments at this point.

15 They were strongly opposed to the
16 chartering aspect of the proposal, and so at
17 this point we're in final rulemaking and would
18 anticipate releasing that probably in another
19 month or two, what the final decision will be.

20 The 2009 specifications to adjust
21 for 2008 landings will follow quickly on its
22 heels.

1 For bluefin tuna specs, for those
2 of you that might not have checked your e-mail
3 this rule published today, and is "hot off the
4 presses." And so this rule will implement the
5 new ICCAT allocation for the United States,
6 implement some of the other changes to the
7 domestic fishery, particularly regarding the
8 school limit timeframe. You can see the base
9 and proposed adjusted quotas here.

10 I'm not going to spend a lot of
11 time on that since most of the rest of the day
12 will be spent on bluefin tuna. Just to note
13 the comment period closed March 20th, and we
14 will have two hearings, one in Silver Spring
15 and the other in Gloucester.

16 And I believe there are copies in
17 the back. Or there should be. Some other
18 issues.

19 Bluefin tuna, as you know, many of
20 you know, the last couple of years in the Gulf
21 of Mexico during the spawning season, we've
22 selected a 100 percent of the vessels in that

1 area for observer coverage, and we intend to
2 do that again this year. Tentative time
3 periods, starting March 30th through June
4 12th, and it's a goal to obtain the
5 comprehensive view of the stock and the
6 fishery impacts on bluefin tuna, on the
7 spawning grounds.

8 As many of you know, bluefin tuna
9 was a major focus at ICCAT meeting this year
10 and is also the subject of the compliance
11 intercessional in March. So there's
12 continuing to be a lot of focus in the Agency
13 on bluefin.

14 And a quick update on the "We
15 cook" research that the Southeast Center,
16 Pascagoula lab is running, is they had some
17 promising results but not a lot of hook hours
18 of fish last year, and so they're looking to
19 continue that this year, hoping that they've
20 found a hook that will release large bluefin
21 but retain the target yellowfin tuna. And so
22 far the results are promising.

1 Going through some of the
2 recreational swordfish numbers, you can see
3 2008 numbers, nontournament landings were
4 pretty far below previous years. Some of the
5 reasons--possibly increased fuel prices. Last
6 summer, fuel prices were pretty high. There
7 appears to be some reduced availability of the
8 fish, possibly reduced interest, or reduced
9 reporting. And so these are some of the
10 things, that if you have idea, comments on,
11 we're always interested to hear.

12 On billfish, it looks like
13 preliminary numbers for 2008 were about 102
14 blue and white marlin combined. We emphasize
15 that these are preliminary. No blue or white
16 marlin landed yet this year. Sailfish last
17 year, 143 again, preliminary, and 36 to date
18 this year.

19 A tournament circle of Greg's have
20 been in effect now for a little over a year.
21 The non-tournament reporting Web site is
22 "live," and if you have comments on that, it

1 seems to be working well. Tournaments last
2 year was a little bit down from the previous
3 year. The record had been 299. It was a
4 little bit lower last year. We're continuing
5 to distribute the circle of DVDs and looking
6 into if there are any issues with tournament
7 reporting.

8 One of the issues that we are
9 going to try and cover tomorrow, as I've said,
10 moved to today, including the pelagic longline
11 closed area research updates, just to remind
12 you, the goals of the research were to collect
13 some baseline data in the closed areas. That
14 a lot of those areas have been closed since
15 2000 or 2001, with no information since then.
16 Evaluate the existing bycatch reduction
17 measures and collect data to examine the
18 efficacy of them.

19 Conditions. No more than three
20 boats permitted, two at a time would be
21 fishing. The power analysis showed 289 sets
22 were needed, half in the closed area, half

1 outside, with 500 hooks and a 100 percent
2 observer coverage.

3 The hatched areas are where the
4 research areas are, and due to some delays in
5 the contracting end of things, fishing didn't
6 really get started well into the summer, and
7 so the results we have through the end of
8 December are 13 trips completed for the year,
9 most again was in the fall, 65 sets, 18 in the
10 closed area, 47 in the open, no bluefin tuna,
11 and you should have this handout so I'm not
12 going to read all of this.

13 So we are working on getting
14 updates on the research, and in our Notice of
15 Intent to issue EFPs, the general notice that
16 we put out in the fall, where we go through
17 permits that were issued in 2008, what we
18 intend to issue in 2009, we included the
19 information we had, that was current to that
20 point in time, mid November, and requested
21 comments on extending the permit for one year.
22 We haven't reached the number of sets that we

1 wanted to have.

2 And there was also a request from
3 the PI for moving the boundary 10 nautical
4 miles. So we got some comment on that. The
5 Agency decision is still pending. I'd hoped
6 we would have that for you now, but,
7 unfortunately, we don't.

8 And so this is a graph, so you can
9 see, the lighter area to the west would be the
10 10 nautical mile, and that the reason was that
11 the ability to make sets and have them fish as
12 they had historically when the areas were
13 open, in the southern portion it was just a
14 bit too narrow for the gear to fish as it had,
15 and because we're trying to compare bycatch
16 rates, target catch rates from prior to the
17 closures to now, they were interested in
18 getting a slight expansion of the area in
19 order to be able to fish the way that they had
20 historically done.

21 So as I said, the Agency decision
22 is pending. I would expect that we would have

1 that probably before the end of the month, but
2 I don't have it for you now.

3 I'm going to spend a little bit of
4 time now on workshops, and the reason for that
5 is some of the workshops are coming up. They
6 were issued on three year cycle, and they are
7 starting to expire, and so I wanted to ask
8 you, as AP members with contacts in the
9 community, to spread the word. People need to
10 be paying attention to the expiration dates on
11 their permits, so that they don't get caught
12 having to go to a location that may be
13 inconvenient or far away, when, if they had
14 some advance notice, they might have lost less
15 time.

16 And so the Protected Resources
17 Handling and Release Workshops are required
18 for vessel owners and operators, for pelagic
19 and bottom longline, shark gillnet vessels.
20 These are required by the 2004 biological
21 opinion, and required for permit renewal
22 starting in 2007. The Shark Carcass

1 Identification Workshops are required for
2 shark dealers and were required for renewal as
3 of January 2008. They are also valid for
4 three years but none of those should be up for
5 renewal yet.

6 I've got some information as well.
7 So far we've held sixty of the Handling and
8 Release Workshops, and issued almost a
9 thousand certificates to owners as well as
10 operators.

11 One important note here as well is
12 that the technical memorandum, a previous one,
13 has now been revised with a new Tech Memo 580,
14 with updated handling and release protocols,
15 some additional approved gears, and so we have
16 distributed the new tech memo that's required
17 to be on board the boats and followed, to all
18 the permit holders. So people should be
19 getting that, it's on three-hole punch paper,
20 should be able to insert it into those
21 aluminum binders. Hopefully that will go
22 smoothly.

1 And here's some of the schedule.
2 These are now being posted further out in
3 time. So that people can do some planning, we
4 post it on the Web site, and so what's
5 tentative is more the specific location as
6 opposed to the general area. The general area
7 won't be changing. It's just more this hotel
8 or that facility.

9 And so again, we're trying to let
10 folks know, far out, so that they don't get
11 stuck when their permit is done, is set to
12 expire, and they have to go far away to attend
13 a workshop.

14 Here's a graphical distribution of
15 where we've held the workshops. Again, we do
16 try and look at the number of folks who are
17 permitted but not yet certified, and try and
18 accommodate to the extent that we can, while
19 still maintaining coverage in all the regions
20 in each quarter, getting close to folks to
21 minimize the burden as best we can. We're not
22 able to go to everybody's back yard, and we

1 just won't be. So we do need folks to look at
2 the schedule and see what works best for them.

3 For the Shark Identification
4 Workshops, we've held thirty of these so far
5 issued 367 certificates. One interesting
6 point of information is that the percent of
7 landings reported as unknown has dropped off
8 pretty well.

9 In the period, 2000 and 2006, it
10 was 5.78 percent. In the last two years,
11 we're down to less than one percent. So I
12 think that's a positive sign.

13 Here's the same sort of
14 distribution. Again, same kind of process,
15 where we look at dealers that are permitted
16 but not yet certified. To the extent that we
17 can get close, while still maintaining the
18 regional quarter distribution, we try and do
19 that.

20 And again here's a similar kind of
21 idea, trying to let folks know what region,
22 and generally where some of the workshops

1 upcoming will be.

2 This is what the new tech memo
3 looks like. So if this appears in your mail,
4 that's what it is, and again it replaces the
5 previous tech memo, and goes through some of
6 the new gear, turtle tether and ninja sticks.
7 Now one is required to be on the boat, as well
8 as some of the new dehooking gears.

9 Exempted fishing permits. I said
10 we've issued seven so far this year. Last
11 year, a total of thirty-two were issued. All
12 of the details of these are in the general
13 notice. We don't typically do separate
14 notices for each one unless it's controversial
15 or significantly different in some way.

16 And one just important point is
17 that there's some level of analysis required
18 for all of these. Sometimes it's done in a
19 larger rulemaking; sometimes it's done on a
20 case by case basis. It's a fair amount of
21 work for us. It does support a lot of
22 research that we do find quite useful. So we

1 try and do our best. But it is of some work.

2 On the litigation front, I think
3 we prevailed. The Agency was granted summary
4 judgment on all counts, but the appeal was
5 filed January 7th. I don't have much more
6 detail on that at this point. I just wanted
7 to let you know.

8 And then some of the things going
9 on outside but related to HMS. On the
10 council, commission front, the Gulf Council I
11 believe is eliminating the sunset provision
12 for the Madison-Swanson Steamboat Lumps time
13 area closures, requested that we backstop
14 that, cause right now, when we backstopped it
15 we included that sunset provision in our regs.

16 There's also a new area closure
17 called The Edges, that they have asked us to
18 backstop, and a quick look at the data doesn't
19 look like those were really prevalent HMS
20 fishing grounds.

21 And then there were some requests
22 for an update on the refish turtle takes in

1 the Gulf of Mexico bottom longline fishery.
2 That is a different fishery with a different
3 ITS than our shark bottom longline fishery,
4 but I think when it first made the news, there
5 was some confusion as to whether this was the
6 shark bottom longline fishery or a different
7 fishery. They're not always described as the
8 shark bottom longline. It's just the Gulf of
9 Mexico bottom longline fishery.

10 And so I want to let folks know
11 that that is a separate fishery. The Gulf
12 Council took recent action, I believe, to push
13 that fishery out to 50 fathoms at their most
14 recent council meeting, and I will trust Bobbi
15 to fill us in on the details of that. But,
16 one, just to let folks know that that's not
17 the HMS fishery. That is a separate one.

18 For the Atlantic States Marine
19 Fisheries Commission, the Interstate Shark
20 Plan is on line, January, and Chris
21 Vonderweidt from the Commission I think was
22 going to be joining us. Not all of the states

1 have done the necessary legislative work to
2 implement the plan, and there should be an
3 update in the spring meeting on how the states
4 are coming.

5 I also want to let you know that
6 the interstate plan includes smooth dogfish
7 measures, that the last Commission meeting had
8 an extended discussion of, and they are
9 pursuing an addendum to revisit some of those
10 regulations for smooth dogfish.

11 We are looking at smooth dogfish
12 in Amendment Three, and with the idea of
13 consistency with the Commission plan, and so
14 now how that'll all play out may depend a
15 little bit on what the Commission does. But
16 we are trying to stay on top of that.

17 Some of the other things. We
18 mentioned a modernization of bluefin tuna
19 dealer database is under way as well as a Web
20 fillable international trade report system.

21 One thing to let you know is
22 government-wide, there is an initiative called

1 the International Trade Data System, that is
2 going to be required. Customs and Border
3 Protection is lead on that, they're developing
4 the system and NOAA Fisheries will be plugging
5 into that. At some point it will go "live"
6 and all of the trade data will have to be
7 entered on that system.

8 Chris Rogers, who just walked into
9 the back, is the lead for the Agency on that
10 system, although we are participating pretty
11 heavily.

12 A couple other things to let you
13 know about. The annual catch limit final
14 rule, this is a final rule coming out of the
15 Magnuson-Stevens Reauthorization Act, has a
16 variety of requirements to end overfishing,
17 establish catch limits, and ABCs, and lots of
18 details there, is now out. We're looking at
19 what sorts of changes we may need as we move
20 forward to come into compliance. But you'll
21 start hearing about that more and more, if you
22 haven't already.

1 The swordfish MMPA petition. This
2 is a petition submitted by Center For
3 Biological Diversity to ban imports of
4 swordfish from countries that don't have a
5 similar conservation standard for marine
6 mammals in their longline fisheries. That was
7 put out for public comment and the comment
8 period was reopened recently, and they're
9 looking for, I think, some specific
10 information. We can get you copies of that,
11 if you're interested.

12 And then similarly, there's the
13 IUU bycatch Report to Congress was released
14 last month, identifying several nations for
15 IUU and bycatch concerns. Those reports are
16 also out, and I believe a proposed rule is in
17 development on IUU measures.

18 So stay tuned for that, and again,
19 we can get you copies, if you are interested.

20 And so now I'd like just to touch
21 back on a couple of things from the last AP
22 meeting, some suggestions from panel members

1 that we completed. The tuna detail
2 presentation we have ready to go tomorrow
3 afternoon. The swordfish detail presentation,
4 that was subject to some conversation, was
5 amended before we posted it on the Web site.
6 Those of you that asked for videos or pictures
7 of placards should have received them. If you
8 haven't, let me know.

9 There were a lot of questions on
10 the blacknose assessment, that we worked
11 pretty extensively with the Southeast Center
12 on, incorporating that information in the
13 predraft. But again, if you have more--I
14 imagine we will, coming out of the discussion
15 tomorrow. We'll continue to work with the
16 Center and then extended the comment periods
17 for scoping on the amendments.

18 Some other things that are
19 underway include conducting time area
20 research. The pelagic longline closed-area
21 research is ongoing, and billfish recreational
22 landings is still on our "to do" list.

1 We've done some work on swordfish
2 marketing, assisting with a brochure design,
3 featured swordfish at the Seafood Cook-Off, as
4 well as the Fish Watch Web site. We're
5 continuing to look at sorts of marketing
6 assistance we can provide.

7 And outreach, providing placards
8 to the tournament directors as part of the
9 registration, something we're planning on
10 doing this summer. We're looking at creating
11 similar placards for the other HMS species as
12 well as sending compliance guides to permit
13 holders. We did send some of the compliance
14 guides out, I believe, to the commercial
15 permit holders, but recreationally, the volume
16 is so high, we weren't able to do that.

17 But we are always interested in
18 seeing what other ideas, what other options we
19 may have for getting the information to all of
20 the permit holders.

21 And then some of the other things.
22 On permits, we had the long discussion at the

1 last AP meeting on limited access privilege
2 programs. A lot of ideas had come out of that
3 meeting as well as the previous meeting,
4 listing here gear-based permits, swordfish
5 handgear type permits, eliminating the triple
6 pack for squid trawlers. These are all things
7 that we're very actively considering how to
8 proceed, what sorts of options would meet the
9 need, hopefully reduce complexity.

10 Because of the magnitude of some
11 of those changes, we're trying to proceed
12 carefully, but we continue to look for
13 comments and are still actively considering
14 it.

15 Improving dealer reporting.
16 Adjusting pelagic longline target catch
17 requirements. Addressing FAD issues in the
18 Caribbean. These are all things that we've
19 spoken about already and are still under
20 consideration.

21 And so at this point I'd just like
22 to conclude that the rulemaking schedule is

1 pretty full. We continue to have a lot of
2 operational activities that keep us quite
3 busy. But we're hoping that we have a good AP
4 meeting. We're really looking forward to
5 focusing on solutions. We look forward to
6 getting all your input.

7 So with that, I'll take any
8 questions.

9 MR. ANNINOS: Rich and then Pat.

10 MR. RUAIS: Since you announced
11 the name, we don't have to reintroduce
12 ourselves each time, or--

13 MR. ANNINOS: You know, it might
14 not be a bad idea, at least this morning,
15 initially. We have new AP members. It's a
16 chance for everybody to get to know each
17 other.

18 MR. RUAIS: Okay. Rich Ruais.
19 Margo, on the essential fish habitat
20 amendment, I haven't been following it real
21 closely, but I think I remember last fall,
22 that even with the new area identified in the

1 Gulf of Mexico as an area, a new particular
2 area of concern, I think at the time we were
3 talking there was not proposed any fishery
4 impacts from the new finding. But the comment
5 period was not yet closed when we had the AP
6 meeting, so you received comments after that.

7 Is it safe to assume, still, that
8 the final that we'll see in spring, summer 09,
9 will not be proposing any impacts upon
10 fisheries from the added area that's been
11 defined as critical habitat? And I have a
12 second question after that, if that's okay.

13 MS. SCHULZE-HAUGEN: Okay. What
14 you're talking about is an analysis of fishing
15 impacts on habitat, and we found that most of
16 our gears were pelagic in nature, pelagic
17 longline, rod and reel, things that wouldn't
18 have a permanent sort of impact on the
19 habitat, with the exception of bottom
20 longline. But given the magnitude of some of
21 the Amendment Two reductions in the bottom
22 longline fishery as well as some other

1 measures in place, other closures already in
2 place for bottom longline gear, around corals
3 and things, we didn't feel further regulations
4 were necessary to minimize that gear's impact
5 on the habitat.

6 If we were to--the amendment, by
7 not proposing any changes now--we would have
8 to do a separate rulemaking, should we change
9 that determination and want to try and reduce
10 fishing impacts. So that won't change the
11 amendment but there could be a separate
12 action, if necessary.

13 MR. RUAIS: Thank you. That
14 sounds like a yes. The other question I had
15 was, I was up early enough today to look at
16 the new preliminary specifications for
17 bluefin, and one of the things that I was very
18 surprised to find was that what I thought we
19 scrapped last fall--and I've only had time to
20 review this with one other U.S. delegation
21 member from Morocco--but I thought we scrapped
22 that part of the bluefin agreement that called

1 for a one-time 15 percent transfer, potential
2 transfer of U.S. quota to another ICCAT
3 contracting party in the delegation.

4 i thought we had agreed that
5 because we found out in the prior year, it was
6 of no use to us, we couldn't use it, we
7 couldn't get reciprocal fishing, we didn't
8 think there was a lot of validity to the
9 scientific projects that were being discussed
10 about, that we weren't even going to include
11 that in the final agreement.

12 And the importance of it is, of
13 course, we had a pretty good debate and
14 disagreement with the Agency about where that
15 15 percent of the USTAC was going to be stored
16 in the meantime, while you were making a
17 determination about whether there was a
18 country that you wanted to provide that
19 allocation to. We believe that 15 percent,
20 you know, belonged on top of all of the quota
21 categories, spread proportional according to
22 the, you know, the historical shares.

1 So I guess my question is: Were
2 some of us wrong, that we didn't--that there
3 was an agreement in the delegation to scrap
4 that 15 percent provision, which we didn't
5 use? It was in two prior agreements. It was
6 unused, and found problems in dealing--we had
7 some thoughts and ideas about how to use it,
8 but the end product was we couldn't use it,
9 and so I thought we'd just agree to eliminate
10 that from the agreement before the final
11 agreement was passed, and I thought that's
12 where the U.S. delegation was.

13 And I don't want to impose upon
14 anybody, like the chairman of the delegation,
15 who's not too far away, but--

16 MS. SCHULZE-HAUGEN: I mean, that
17 measure is still in the recommendation. I
18 think the discussions in the delegation room
19 supported eliminating it. But it remains in
20 the ICCAT recommendation. If you recall--so
21 I think we'll have a discussion of ICCAT in a
22 minute. So it is still in the recommendation.

1 We proposed to distribute the quota as we had
2 the last two years.

3 MR. ANNINOS: Thanks, Rich.

4 Pat.

5 MR. AUGUSTINE: Thank you, Paul.

6 Margo, an exceptional job by your staff again
7 as usual. You're putting out a tremendous
8 amount of effort to change regulations, and so
9 on, and we're very appreciative of that.

10 On your last slide, number 30, you
11 have a list of various suggestions that we had
12 for permits under review, and as I recall,
13 last year, we were very concerned about being
14 able to use that swordfish quota, in
15 particular, and I know we addressed six or
16 seven things we could possibly do--I see
17 they're under consideration--from renewable,
18 establish gear types, and so on.

19 Can you give us an update as to
20 where we are on some of those considerations.

21 Are there any that you and/or your
22 staff feel we should pull out of the group and

1 move forward, to either implement or knock
2 them off the list?

3 MS. SCHULZE-HAUGEN: Well, we've
4 done a lot of thinking about permit issues,
5 what we could do. One thing you do recall,
6 over the summer, we eliminated the sunset
7 provision for the tuna longline permit
8 specifically. That was an attempt, and I
9 think in response to some comments to address
10 some of the issues that we'd encountered.

11 We've done, like I said, a lot of
12 internal thinking on the permit combinations,
13 how to simplify things. Is there a way to
14 restructure things, so that there's more
15 flexibility, but yet wanting also to preserve,
16 you know, the value of the limited access
17 permits, particularly based on current
18 structure, looking at pros and cons, wanting
19 to, you know, provide flexibility where there
20 was an ability to do that, where there weren't
21 concerns. Focusing on squid trawlers.

22 We've made some headway,

1 internally, in terms of our thinking, and I
2 think we've got some still pretty rough ideas
3 on where we may go. At this point, I don't
4 think we're quite ready to, you know, get up
5 here and talk about them because they're still
6 rolling around in our heads.

7 But I think maybe by the next AP
8 meeting, we would have more to share,
9 specifically. It's very complicated. Even
10 things that sound simple, when you sit in a
11 room for a couple of days, and think about all
12 the regulatory aspects, and potential caveats
13 that there are now, and how would you
14 accommodate them? it gets really complicated,
15 really fast, which is, honestly, part of the
16 problem.

17 And so we're continuing to work on
18 it, happy to talk to you about it, kind a
19 where we're at, but I think we're not really
20 ready to give you a presentation on it yet.

21 MR. AUGUSTINE: Thank you.

22 MR. ANNINOS: Thanks, Pat.

1 Shana and then Ken.

2 MS. MILLER: Shana Miller. I'm
3 pleased to see that the 100 percent observer
4 coverage will continued again this spring in
5 the Gulf.

6 MS. SCHULZE-HAUGEN: Yes. No
7 problem.

8 (Off-mic comment.)

9 MS. MILLER: Okay. Last fall, Dr.
10 Restrepo had said that you all were, or I
11 guess the Southeast Center was working on a
12 report of the 2007-08 coverage, that was to be
13 released in November, was that released, or is
14 there a timeline for when it will be released?

15 MS. SCHULZE-HAUGEN: I have that
16 in my notes, too, and I realized I hadn't seen
17 the report, and I didn't have time to check on
18 that.

19 Guillermo, do you have any updates
20 on that? I believe some of the information
21 was presented in the national report and what
22 was submitted to SCRS, but as far as a stand-

1 alone report, I'm not sure. I can check on
2 that. Guillermo's shaking his head, so--

3 MR. ANNINOS: Ken.

4 MR. HENMAN: Thank you. Margo, I
5 agree with Pat that--

6 MR. ANNINOS: Ken, I need you to
7 state your name. I'm sorry.

8 MR. HENMAN: Ken Henman. That's a
9 quite impressive list of activities, work. I
10 had a question about the weak hook research,
11 because we've heard some very--I think at the
12 most I've heard, as far as describing what it
13 is, is what I heard this morning, which was
14 still rather sketchy, other than there is some
15 oversight by the Southeast Center, and that it
16 is actually going on.

17 Is there a document that we can
18 see, that actually describes, in more detail,
19 what really is going on and what is being
20 tested? And the reason I ask is hopefully,
21 there will be some good to come of this
22 someday. I don't know. But if there is, I

1 think it's going to take at least this panel's
2 "buy-in" to what's going on, and at best, the
3 public

4 So is there a document that we can
5 view?

6 MS. SCHULZE-HAUGEN: I've seen
7 some study reports. What I don't know if if
8 they are releasable, and so I can--I actually
9 have it with me, so I maybe could show it to
10 you. I don't know if I can hand it to you.
11 But we can check on that.

12 And I believe there was a meeting
13 in the fall, that talked about some of those
14 results. So I imagine we should be able to
15 share at least what we shared at that meeting.
16 So we'll work on that.

17 MR. HENMAN: I'd like to see it.
18 Thank you.

19 MR. ANNINOS: Any questions for
20 Margo? Any more questions?

21 MS. SCHULZE-HAUGEN: Okay.

22 MR. RUAIS: Rich Ruais. This is

1 not a question, if that's okay, but it's a
2 response to Ken, maybe a little bit further
3 information. There was, as Margo alluded to,
4 in Panama City, there was a review by the
5 principal researcher of the results of Phase
6 I of the weak hook research, and I won't
7 prejudice it by suggesting what those results
8 were. But in terms of Ken also asked for an
9 update, I know that where it's at now is most
10 of that research took place in the eastern
11 Gulf of Mexico and that now NOAA is launching
12 Phase II in conjunction with the pelagic
13 longline industry for continuation of that
14 weak hook research in the western Gulf of
15 Mexico.

16 The first part of the research did
17 not produce enough sets to make the results
18 statistically significant, and the hope is
19 that the western Gulf will build to that
20 database, so that the data can then be shared
21 with this group and others.

22 MS. SCHULZE-HAUGEN: Jim.

1 MR. BUDI: Jim Budi here with the-
2 -filling in for Dewey. Margo, I'm not
3 familiar with the processes here, so excuse me
4 if this isn't the proper time to ask.

5 But on the subject of marketing,
6 after the recent disasters we've seen in the
7 market, and a lot of it attributed to
8 misinformation about the--not so much the
9 health benefits but the poison aspect of
10 swordfish with the mercury, you know?

11 I was just wondering, with the new
12 administration coming in, if there's been any
13 effort to dispel some of the myths associated
14 with eating swordfish and tuna, and possible
15 problems with mercury.

16 Like, for instance, recently, the
17 new administration, I think it was yesterday
18 or the day before, had a representative
19 talking about manmade pollution affecting
20 commercial-caught fish, and the science is
21 pretty much in and says, emphatically, that
22 less than one percent of the mercury in the

1 oceans is attributable to manmade sources.

2 And so with that kind of a
3 misconception, you know, is there a
4 possibility that National Marine Fisheries
5 Service would somehow have an effect on--

6 (Tape 2 begins.)

7 MR. BUDI: [in progress] mercury's
8 concerned. There's so many studies out there.
9 Seychelles Island study. The Lancet study.
10 All these studies say that women should be
11 eating more fish, not less fish. And so with
12 that in mind, if we're talking about the
13 revitalization of this industry, what has to
14 occur is to get the money back into the
15 industry, and when your fish aren't worthy
16 anything because of these misconceptions that
17 are pushed in for political reasons and in the
18 public's minds, it's a very difficult job to
19 keep our fleet afloat here.

20 So with that in mind--and again,
21 if this is the wrong time to talk about it,
22 maybe we can talk about it some other time.

1 MS. SCHULZE-HAUGEN: No; that's
2 fine. NOAA Fisheries actually has a seafood
3 inspection lab that is quite involved in some
4 of the discussions between EPA and USDA on
5 mercury, protective effects of selenium on
6 binding that mercury, and so those discussions
7 I think are ongoing. I think I've seen some
8 of it in the press.

9 So we in HMS aren't a part of
10 that, it's a lot of biochemistry that isn't
11 regulatory and in fisheries management, but we
12 are definitely involved in those discussions
13 and critically reviewing some of the studies
14 that found some of the dangerous effects, and
15 so all I can say is that we are a part of
16 those discussions, and where they'll lead I
17 don't know, but we are aware of them and
18 participating.

19 MR. ANNINOS: Thanks, Jim.

20 Glen.

21 MR. DELANEY: Yes. Just to that
22 point, there's a gentleman, Jim Hanson, who is

1 Office of Seafood Inspection, or something
2 like that, in NMFS, who's pretty "up" on that
3 all that and involved. He's a former FDA
4 Office of Seafood employee, and has worked all
5 over the world, and I think he's directly
6 involved in those discussions. Certainly very
7 knowledgeable.

8 The question I had, maybe it was
9 on your screen and I missed it, but it's in
10 your handout, is the Bluewater--no--the Blue
11 Ocean Institute appeal filed in January on the
12 litigation. There is it. Asleep at the
13 wheel.

14 Just curious. How would you
15 characterize the basic "guts" of their appeal?
16 What in the world are they appealing against?

17 MS. SCHULZE-HAUGEN: The only
18 thing that has been submitted is a notice of
19 intent to--that they appeal. There's not any
20 sort of information associated with it. No;
21 not yet.

22 MR. ANNINOS: Myron.

1 MR. FISHER: Thank you. Margo, on
2 the weak hook subject, I could save this for
3 the next presentation on bluefin, but just
4 briefly, while everybody's trying to use a
5 stronger hook, has there been any studies
6 either relating to the size and shape of the
7 hook, rather than a weak link?

8 MS. SCHULZE-HAUGEN: There have
9 been lots of studies on shapes and sizes of
10 hooks, but I don't think this is really
11 specific to reducing bluefin bycatch.

12 The circle hook stuff was more
13 targeted to reducing sea turtle bycatch.

14 MR. FISHER: I would think there's
15 a hook-appropriate size that could retain
16 yellowfin and yet can't hook a bluefin.

17 MS. SCHULZE-HAUGEN: Maybe.

18 MR. ANNINOS: Any other questions?

19 Thank you.

20 MS. SCHULZE-HAUGEN: All right.

21 Thank you. At this point we have Russ Dunn
22 that's going to go through a ICCAT review and

1 preview.

2 MR. ANNINOS: Margo, Steve had a
3 question.

4 MR. JAMES: One more question.
5 Thank you for acknowledging.

6 MR. ANNINOS: Steve James.

7 MR. JAMES: I'm Steve James. I
8 run the Boston Big Game Fishing Club, and
9 responsible for the largest shark fishing
10 tournament in the United States and the world.
11 I'm proud to say we have a 98.5 percent
12 release rate, and the question here has to do
13 with public misconception and misinformation.

14 And that is has the National
15 Marine Fisheries Service taken any kind of an
16 action to develop a public relations program,
17 or to develop a position statement, or maybe
18 a strategy for dealing with fringe animal
19 activist groups that harass both tournament
20 directors, tournament sponsors, tournament
21 participants, and right now your alley,
22 National Marine Fisheries Service's

1 biologists?

2 And to put some "teeth" behind
3 that statement, right now, I have a five-page
4 complaint letter sitting at the Massachusetts
5 attorney general's office, suggesting that my
6 shark tournament is nothing more than
7 legalized gambling as it takes no skill
8 whatsoever to catch a shark.

9 And that's the foundation of their
10 complaint, and clearly, if my tournament can
11 be the target of that kind of a complaint,
12 and, you know, the target of harassment by
13 this kind of a group, with the reputation that
14 we have it's only a matter of time that
15 everybody in this room who's ever picked up a
16 hook, line, rod and reel, is going to be
17 targeted.

18 So back to the question: Have you
19 done anything by way of taking an action,
20 either via public relations program, position
21 statement, or dealing with these organizations
22 in a formal way?

1 MS. SCHULZE-HAUGEN: Well, we've
2 responded to a number of press inquiries,
3 reporters, that have, you know, I think
4 followed the story and have asked for our
5 position. What we've said is that these are
6 activities for which they're regulated,
7 they're monitored. Permitting is in place.
8 Registration. And so while we don't promote
9 any particular activity, we try to clearly
10 impress upon them that is authorized via
11 regulation, monitored, controlled, and that's,
12 I think, what we have been able to do at this
13 point. It's more of a response than a
14 directed outreach.

15 MR. JAMES: Very good. Thank you.

16 I guess the final question I'd
17 throw at you: Is there a specific organization
18 or an individual inside the National Marine
19 Fisheries Service that I might be able to
20 direct inquiries to?

21 MS. SCHULZE-HAUGEN: We do have
22 outreach folks as well as press, public

1 affairs. I can get you their contacts and
2 they will field any inquiries and then get the
3 reporter to the appropriate person. So I can
4 make sure you get that.

5 MR. JAMES: Thank you.

6 MR. ANNINOS: Thanks, Steve.

7 Thanks, Margo. And before Russ takes the
8 ICCAT presentation, I just wanted to make sure
9 that we had a chance to introduce a few of the
10 AP members who walked in just a few minutes
11 after we got started.

12 I saw Andre. I saw you walk in.
13 I saw I think Lisa. Mark. Just a quick
14 introduction, so folks--now Andre, you're
15 discovering that you're not at a table with a
16 microphone. So to make life easier for you,
17 there are seats up here. There's at least one
18 chair up in the front. There's probably one
19 or two chairs per table still available. So
20 you're not relegated to a nonmike table.

21 DR. BOUSTANY : Andre Boustany,
22 Duke University.

1 MR. GREGORY: Randy Gregory, North
2 Carolina Division of Marine Fisheries.

3 MR. ANNINOS: Anybody else come in
4 after we started, that want to introduce
5 themselves.

6 Rebecca, how about you?

7 MS. LENT: Rebecca Lent, NMFS.

8 MR. ANNINOS: Okay. And just for
9 the benefit of the new, the members of the AP,
10 just so you know how we kind of run the Q&A
11 part of any of these presentations, after a
12 presentation is over, you will raise your hand
13 or use any other technique that you can to get
14 my attention. There's a variety of those
15 techniques that you can use.

16 I will get your name down on the
17 list. I will get to you, as everybody here
18 knows, just be patient, and if, for some
19 reason, you don't think I've seen you, then
20 one way to make sure that I see you is taking
21 your tent card and just kind a putting it
22 vertical right here in front of you. That'll

1 help out. And if all else fails, just scream
2 at me. So we'll make sure we get you in.

3 And for everybody's sake, again,
4 the ventilation system's pretty loud. Try to
5 cozy up to the microphone because it's really
6 difficult to hear. I've been trying to test
7 it out in other parts of the room. So please
8 use the mikes. The closer you get to them,
9 the more effective they are in getting your
10 voice heard. We'll pick it upon the mike but
11 your colleagues may not be able to hear you.

12 And if you do have comments that
13 you'd like to make, we encourage you to make
14 them briefly, and very focused, and being very
15 clear on what point you're trying to make, and
16 that way we leave time for other people to
17 make their comments as well.

18 So I think that's it in terms of
19 ground rules, other than just of basic rules
20 of etiquette and meeting mutual respect. I
21 don't think we need to go into that now. So
22 any questions before we get started?

1 All right.

2 MR. DUNN: I have to say I'm
3 feeling the weight of the world here. We're
4 in the room, we've got four current or former
5 HMS chiefs hiding, as well as the acting ICCAT
6 commissioner, the chairman of the IAC, former
7 commissioners and all sorts of other ICCAT
8 expertise here. So I'm sure my missteps will
9 be corrected quickly.

10 All right. So what I'm going to
11 do is give a quick review of what happened in
12 2008 at ICCAT, this past November, of the
13 recommendations that really apply more
14 directly to the U.S., as well as do a quick
15 preview of 2009, of the things we expect to
16 come up.

17 I think what I may do is stop
18 after the review portion, take whatever
19 questions there are, and then move on, finish
20 up the preview of 2009 and take questions
21 there.

22 So basically, for those of you who

1 are new to this process, if you look at the
2 numbers on the side, the numbering convention
3 is the first number, the 08, is the year in
4 which something was adopted. The second
5 number is sort of the specific identifier of
6 that recommendation or resolution.

7 There were 13 recommendations or
8 resolutions that were adopted this past
9 November, and eleven or twelve of which really
10 most directly affect the U.S., and we'll touch
11 on them briefly.

12 As you can see, there was one on
13 big-eye tuna, North Atlantic swordfish,
14 western bluefin, eastern bluefin, bluefin tuna
15 research, big-eye and porbeagle sharks.

16 A compliance recommendation. One
17 on harmonizing vessel length and bluefin tuna
18 catch documentation. And as I said, there
19 were some others such as Mediterranean
20 swordfish but we're not going to touch on
21 those. So jumping into it with big-eye tuna,
22 basically we had, this past year, limited

1 tangible progress, I guess is the best way to
2 put it. We got promises of future action
3 basically.

4 What happened was the existing
5 provisions of 04-01 were rolled over,
6 including the catch limits through the end of
7 this year. And essentially that means U.S.
8 catch limit right now remains unspecified.
9 That means that our reference year, 1999, we
10 caught less than 2100 metric tons. So for all
11 the countries that were in the same situation,
12 their quota remains unspecified.

13 We typically land somewhere
14 between 500 and just shy of a 1000 metric
15 tons.

16 Our primary effort this year, of
17 the U.S., was working with Ghana and Cote
18 D'Ivoire, to implement a FAD fishing closure
19 in the Gulf of Guinea to protect juvenile big-
20 eye and yellowfin in the per seine fishery
21 there. They're caught in conjunction with
22 skipjack. And that met with limited success.

1 Essentially what ended up
2 happening was the text that was drafted and
3 submitted as a recommendation was appended to
4 08-01, with a promise of future action.

5 Essentially they are--SCRS is
6 supposed to evaluate a port sampling scheme,
7 and closures in the Gulf of Guinea to address
8 the catches of small fish. Those
9 recommendations are, according to 08-01,
10 supposed to be implemented by 2010, and in
11 this case I think what they meant with the "by
12 2010" was by the close of 2010, not by January
13 1, 2010.

14 With North Atlantic swordfish,
15 essentially there was again a rollover of
16 existing North Atlantic swordfish measures.
17 06-02 was the recommendation that was in
18 place.

19 For the U.S., that meant that our
20 quota and our quota share remained unchanged.
21 Our quota has been 3,907 metric tons and our
22 quota share's been 30.49 percent for a number

1 of years. We retained our ability to harvest
2 up to 200 metric tons between 5 degrees north
3 and 5 degrees south.

4 Our allocation that the U.S. made
5 in 2006, for the years 2007-2008, was of 1345
6 metric tons, was carried forward for one more
7 year. So the same thing is happening again in
8 2008. That was done primarily to accommodate
9 a number of developing states in 2006.

10 The carry-forward limitations for
11 underharvest remain unchanged. You can carry
12 forward up to 50 percent of your original
13 quota and transfer provisions of 15 percent
14 per year, a one-time transfer, also remains in
15 place.

16 For western bluefin tuna, 04-08,
17 the TAC was reduced for western bluefin from
18 2100 metric tons to 1900 in 2009, and 1800 in
19 2010. As Margo's slide indicated, that means
20 the U.S. baseline quota for 2009 is
21 essentially a 1010 metric tons and the
22 baseline for 2010 is 952 metric tons. The

1 U.S. quota share remained unchanged at 57.5
2 percent of the Western TAC.

3 One of the most important things,
4 I think that occurred this year at ICCAT, was
5 the first sub bullet there.

6 That the intent of reducing the
7 TAC was to help rebuild the stock by 2019, and
8 to end overfishing by 2010, with a 75 percent
9 probability standard in place. And that's the
10 important piece, right there.

11 Previously, at ICCAT, TACs were
12 historically selected to allow the MSY target
13 achievement within the rebuilding period with
14 a 50 percent or greater probability. So we
15 jumped the probability of success, so to
16 speak, from 50 percent up to 75 percent, which
17 is a really significant change in the approach
18 to fisheries management.

19 Other portions of 08-04 included
20 95 metric tons that went to Mexico, of western
21 bluefin, and quota allocations are going to be
22 renegotiated in 2010.

1 Also for the U.S., more directly,
2 the school bluefin, a 10 percent tolerance.
3 It was a four year balancing period. It is
4 now a two year balancing period. So for 2009-
5 2010, it had been a four year period.

6 And after 2010, you can see from
7 the final bullet the 50 percent cap on "carry
8 forward" will decrease to 10 percent.

9 For eastern bluefin, while it
10 doesn't directly affect U.S. fisheries per se,
11 obviously, we have a significant interest in
12 that fishery. There was a significant
13 decrease in the TACs, not quite to where
14 everyone wanted it, but nonetheless, some
15 progress was made. The TACs were reduced from
16 28.5 thousand in 2008 down to 22 thousand,
17 2009; 19,950 in 2010; and in 2011, it'll go
18 down to 18.5, unless that number is changed in
19 the 2010 renegotiation.

20 The scientists have been pushing
21 for a roughly 15,000 ton TAC, and 18.5 was as
22 close as we could get it this past year.

1 Let's see. The per seine closure
2 was extended 15 days but there is an exception
3 for bad weather, which is five days. So it
4 could push the start date back to June--the
5 20th? Yes. Back to June 20th instead of June
6 15th.

7 Also 08-05 froze fleet and farming
8 capacity and requires fleet capacity to be
9 reduced by 2013, commensurate with the quotas,
10 and they have to address 25 percent of the
11 discrepancy between the harvesting capacity
12 and the available quota by 2010. So they need
13 to start taking action pretty rapidly.

14 It also strengthened monitor and
15 control elements of the eastern bluefin
16 fishery, and requires parties who fish in the
17 east to establish fleet, individual vessel
18 quotas. 08-06 essentially requests CPCs to
19 collect and share data, specifically ODA lists
20 and tissue samples, and to engage in
21 traditional tagging to help resolve stock
22 origin and mixing questions.

1 There were really a significant
2 number of shark recommendations and
3 resolutions that were put forward at the
4 meeting; but there were only two that were
5 adopted. The first one, 08-07, was on big-eye
6 threshers, and it requires live release of
7 big-eyes that are brought to the boat alive,
8 and requires CPCs to report their big-eye
9 thresher bycatch.

10 For the U.S., there's no real
11 practical effect. We already do both of those
12 things. Big-eye threshers are already
13 prohibited in U.S. fisheries, and we already
14 report our bycatch.

15 Resolution 08-08, and for those of
16 you who are new to the process,
17 recommendations are binding and resolutions
18 are nonbinding.

19 Resolution 08-08 simply
20 establishes a joint ICCAT-ICES meeting to
21 assess porbeagles in late June, early July,
22 and there may be a possible follow-on meeting

1 between ICCAT and NAFO.

2 Harmonization of vessel length.

3 This is kind of an interesting one. A number
4 of recommendations refer to length of vessels
5 for requirements of VMS or observer coverage,
6 things like that, and ICCAT took the step of
7 specifically defining it this year as you can
8 see in the first sub bullet there.

9 Now what's interesting is that is
10 consistent with some of the forms that are
11 used in the United States, namely, a form
12 called CG 5397, and that form is called the
13 simplified form, Application For Simplified
14 Measurement.

15 We may have some potential issues
16 in terms of making the U.S. consistent with
17 the recommendation, in that that form is
18 really only used to obtain a tonnage
19 assignment by the Coast Guard. It is not the
20 form that's used for vessel documentation.

21 And it's only usable by vessels
22 that are under 79 feet, and recreational

1 vessels.

2 So where our complication comes in
3 is that first of all, the federal permit
4 applications don't collect length as specified
5 in the ICCAT recommendation. It just simply
6 says length. It's not defined.

7 The Coast Guard forms for vessel
8 documentation ask for approximately, and then
9 the states, where we get sort of the remainder
10 of the lengths for our permit applications,
11 are all different. They're all over the
12 place.

13 Some of the states just say
14 "length," which isn't defined. Some of the
15 states say exact length, which isn't defined,
16 and Maryland, for example, says "overall
17 length of deck," which is defined.

18 And so there's going to be
19 difficulty coordinating between all the
20 different levels of government to come into
21 full conformance with the vessel harmonization
22 recommendation. We're going to take that on

1 in our spare time.

2 Let's see. Bluefin tuna catch.
3 Statistical documents. 08-11 was really a
4 housekeeping measure to improve consistency
5 between various recommendations. It
6 essentially swapped out the term "statistical"
7 for the term "catch" in the various
8 recommendations. So it now will refer to
9 "catch documents" instead of "statistical
10 documents."

11 08-12 was an amendment to the
12 Bluefin Tuna Catch Documentation Program, and
13 the practical effect for the U.S. is the
14 addition of a data field identifying the
15 export destination on the bluefin catch
16 document form, and the reexport certificate.

17 All right. So what I'll do is
18 stop there. If you have any questions on the
19 review portion, or corrections, and then we'll
20 jump into the preview for 08.

21 MR. ANNINOS: Rich, was your hand
22 up? Hang on one second, Rich. Shana. Rich.

1 Okay. Go ahead.

2 MS. MILLER: I just wanted to make
3 one comment on the western bluefin
4 recommendation. While it did increase the
5 probability of rebuilding by 2019, that was
6 under the low recruitment scenario, which is
7 the more optimistic of the two equally
8 plausible scenarios according to the SCRS.

9 MR. ANNINOS: Thanks, Shana.

10 Rich, Ralph, and then Dick.

11 MR. RUAIS: Thank you. I didn't
12 want to raise my hand quick, cause I didn't
13 want to be the first one to speak.

14 But on the swordfish one, I'll
15 repeat the comment, and maybe this is
16 partially my fault as one U.S. delegation
17 member. Towards the end, things happened real
18 fast, and some of us are kind a worn out after
19 11 days of this. But I thought that 15
20 percent provision got eliminated on swordfish
21 as well. But apparently it didn't.

22 Other than that, on swordfish we

1 achieved--I thought the U.S. delegation, led
2 by Rebecca, achieved the objective that we had
3 gone to the meeting with, which--and I know
4 this is not commentary, I shouldn't be making
5 commentary. But I'll pat you on the back.
6 Russ, you did a great job. It was good.

7 On the western bluefin, there were
8 just two quick points that I wanted to make on
9 that.

10 One. I don't want people to gloss
11 over that 95 metric tons to Mexico. To me,
12 it's very, very significant, especially to
13 those people who are concerned about the Gulf
14 of Mexico and targeted bluefin tuna fishing.

15 The U.S. delegation could not get
16 the government of Mexico to agree that that 95
17 metric tons would not be directed at bluefin,
18 although there were assurances that only 25
19 metric tons, a maximum of 25 metric tons could
20 be directed. But Ii see that as a real
21 concern, because there's no place else that
22 Mexico can target 75 or 70 tons of bluefin

1 tuna, in our eyes, without maybe some
2 assistance from chartering.

3 The other point I wanted to make,
4 and it goes back a little bit to where Shana
5 was at. You know, frankly, the 50 percent to
6 76 percent jump in the probability of
7 achieving your objective for rebuilding, to
8 me, is just a continuing--you know, it's a--I
9 don't want to say "gain" because that sort of
10 is maybe not the right term. It makes too
11 light of it. But with the scientific
12 understanding today of mixing, to suggest that
13 without any consideration of what's going on
14 in the eastern Atlantic, that by a simple
15 reduction in the TAC in the western Atlantic,
16 that you can somehow increase the probability
17 of improvement dramatically in the western
18 Atlantic, not too many people "buy it"
19 anymore.

20 We know what's driving that. It's
21 a provision in the Magnuson Act that says thou
22 shalt stop overfishing by a certain point in

1 time. So that was the objective of the U.S.
2 delegation, and again, it was achieved by our
3 commissioners to get it done, so we're
4 consistent with the law.

5 In reality, I don't think it means
6 a "hill of beans." Thank you.

7 MR. DUNN: I think, just in
8 response to that, I think it has broader
9 application beyond just that, because it's all
10 the various ICCAT species, or a number of them
11 anyway, have their sort of probability of
12 rebuilding set at greater than 50 percent, and
13 to go from the flip of a coin, regardless of
14 the species, to something which is a lot more
15 sure, is a pretty important step forward in
16 terms of management.

17 MR. ANNINOS: Thanks, Rich.

18 Ralph, Dick, Pat, Glen and Ken.

19 Ralph, go ahead.

20 MR. PRATT: Thank you. Ralph
21 Pratt. On 08-04, I'm really concerned about
22 the quota reallocation in 2010 and how it

1 affects the United States.

2 As you're probably aware, our
3 handgear categories, our harpoon and general
4 categories make up the lion's share of it, I
5 think, and we're running at a deficit of, it
6 looks like 70 percent.

7 Has anybody given any thought as
8 to how we can protect that quota in 2010? Or
9 are we just going to let it go? Because if
10 you let it go, I really think it's going to
11 make the commercial bluefin fishery extinct.

12 Thank you.

13 MS. SCHULZE-HAUGEN: I mean, this
14 is all part of what we'll be continuing to
15 talk about, some of the trends in the fishery,
16 what we're able to do in the specifications,
17 some of the information that we've seen, and
18 I think, you know, for general category, we've
19 been keeping the limits at three fish a day.

20 We didn't for January but we have
21 proposed it for the June through August time
22 period. You know, it's all things that we're

1 watching--for sure.

2 MR. ANNINOS: Thanks, Ralph.

3 Dick and then Pat.

4 MR. STONE: Dick Stone, NMMA.

5 Concerning the school bluefin, 10

6 percent tolerance, I wonder if you could

7 refresh my memory about what the tolerance is

8 for school bluefin in the eastern Atlantic.

9 MS. SCHULZE-HAUGEN: I'm

10 struggling here. I don't, honestly, memorize

11 the eastern recommendations. I don't believe

12 they have a retention of school below 115. I

13 think that's a western provision. I see nods,

14 so I think--some of the--Bay of Biscay. Just

15 some--

16 (Off-mic comment.)

17 MR. ANNINOS: Dick, does that

18 answer your question?

19 (Off-mic comment.)

20 MR. ANNINOS: Okay. So did you

21 want to make more of a point? No. Okay.

22 Pat, Glen, and Ken.

1 MR. AUGUSTINE: Thank you. Just
2 a note for you new folks that have come here
3 for the first time. I was blessed with the
4 opportunity to go to Morocco last year, and
5 someone has to say, on the record, just how
6 good our U.S. team is, and without leadership
7 from John Graves and Rebecca Lent, Chris
8 Rogers, Tim Blankenburger and the erst of
9 them, I think their efforts will definitely go
10 unnoticed, and all we will do is throw stones
11 at what we accomplished or did not accomplish.

12 This staff did yeoman work for
13 nine or ten days straight, with some of the
14 folks working till 10:00, 11:00, 12:00 o'clock
15 at night, starting at 6:00 or 7:00 in the
16 morning, going all day long, and I guess I
17 want to single out--not to make anyone feel as
18 though they're being left out, but Sarah
19 McLaughlin was one of those lunatics, was
20 working till 2:00 o'clock in the morning, as
21 well as others. The effort this team put
22 forth is just absolutely unbelievable, unless

1 you see it.

2 Considering we have Mexico,
3 Canada, and the United States on the western
4 side, and you've got 27 countries in the EU,
5 plus some other number of countries that bring
6 it up to forty-six, you'll find that we
7 carried, we, the United States, carried a
8 very, very big stick.

9 Rebecca was out--I don't know what
10 she was doing, but she says she was
11 negotiating. But she was out a lot at
12 nighttime and would come back and tell us what
13 you'd accomplished, and she grinned a lot, and
14 I guess it was good.

15 But she was unbelievable. Chris
16 Rogers, and his efforts, and staff, to put
17 together the compliance program. You're all
18 going to be shocked at how that thing is going
19 to start to straighten up some of those
20 countries. I guess five of them have been
21 identified, that will have to come up to the
22 bar in March, and we'll see how good that

1 program is.

2 But they deserve our accolades and
3 thanks for a committed effort, that I just
4 quite frankly--I worked in the corporate world
5 for 35 years, and I've never seen such a team
6 effort put forth, day after day after day.

7 And they'd laugh and giggle about a bunch of
8 things, and thank God we didn't have too much
9 alcohol, and it would have been better--but
10 the camaraderie, and the sharing, and
11 listening to ideas and suggestions, I think
12 sets a model for how this commercial fishery,
13 recreational fishery, environmental people,
14 all get together and work together for a
15 united cause.

16 I think the bottom line, we're all
17 interested in saving the fish and doing the
18 right thing. But again, on the record, you're
19 all to be commended and praised, actually, on
20 the record, for a job well done. Thank you.

21 MS. SCHULZE-HAUGEN: Thank you,
22 Pat.

1 MR. AUGUSTINE: And I want to
2 become a consultant next year when I'm
3 retiring.

4 MR. ANNINOS: Thanks, Pat.
5 Glen and then Ken.

6 MR. DELANEY: Thank you.

7 I certainly share Pat's
8 sentiments, except for the one. It's been a
9 while since I felt blessed to go to ICCAT.

10 But no offense. A question to
11 Russ. I don't know that you mentioned when
12 the stock assessments are for sword and
13 bluefin. Is that coming?

14 (Off-mic comment.)

15 MR. DELANEY: For bluefin and
16 sword.

17 (Off-mic comment.)

18 MR. DELANEY: Okay. Well, just
19 to make a point on bluefin, another stock
20 assessment will be done in 2010. The quotas
21 that were adopted for the eastern Atlantic
22 bluefin tuna will not likely stand. The

1 quotas that were established in this year's
2 plan, for 2009, 2010, 2011, are going to be
3 highly vulnerable in 2010 and 2011 based on a
4 new stock assessment.

5 I think just as a comment, you
6 know, that the Eastern nations will certainly
7 use a new stock assessment to wipe the slate
8 clean and start all over again, and there'll
9 be also a quota share allocation negotiation.

10 So as extraordinary as it was to
11 get those quotas reduced, I think we need to
12 be prepared for an even more complex,
13 difficult battle in 2010, to protect those
14 quotas, cause I think they're going to try to
15 start all over again--just to comment on that.

16 And also in 2009, this year, I
17 think just a message to the Agency, that we've
18 made a thousand times, and I know they receive
19 it well, and are doing the best they can, but
20 just to add urgency to it for this group, you
21 know, our revitalization efforts will come to
22 bear in November, this year, when North

1 Atlantic swordfish stock quota shares are
2 renegotiated.

3 I'm not quite sure exactly what
4 the precise number of their percent
5 utilization by the U.S. of their quota, but I
6 think we're going to face probably a blood
7 bath in terms of reallocation of U.S. quota
8 share, not underages this time, but quota
9 share.

10 So again, we need to press on on
11 those measures that are designed to allow more
12 swordfish to be harvested, revitalization of
13 the fleet, or modification, revision of
14 current regulations that might allow greater
15 access to the resource, and greater landings.

16 And I'm sure we'll be talking
17 about even some of the bluefin catch limits
18 associated with pelagic longlining have
19 implications for the amount of fishing effort
20 that will be pursued, and therefore swordfish
21 that will be caught.

22 So we still have a shot at maybe

1 accomplishing a few things in our domestic
2 regulatory regime, that might help our
3 arguments to protect our quota share this
4 November. But I would have to be honest with
5 you, having been through it quite a few times,
6 that it looks bleak for us.

7 MR. ANNINOS: Glen, thank you, and
8 we'll wind up with Ken before we start the
9 next part of the presentation.

10 MR. HENMAN: Thank you. Ken
11 Henman. Recognizing how difficult it was to
12 get that agreement that's up there, and that
13 obviously the U.S. was the principal mover in
14 getting that far at ICCAT, I would hate for
15 anybody to interpret it as being more than it
16 really is.

17 First of all, there's the whole
18 issue of whether the Eastern and Mediterranean
19 countries will stay within those quotas.
20 There is, I don't know, 20 something pages, I
21 think in the recommendation addressing those
22 issues, but I think there are almost as many

1 in the 2006 agreement, and they overshot the
2 quota there by a little bit more than two
3 times. And I was given concern about whether
4 this will be in force or not. Right within
5 the agreement itself, when underages were
6 allowed to be carried over for several
7 Mediterranean fishing countries, two of whom
8 have been listed by the U.S. as IUU countries.

9 So I think there was a little bit
10 of, you know, headscratching there.

11 And also the other part of it is
12 that getting down to 18,500, if we do get
13 there, taking into consideration Glen's
14 comments on what may happen in 2010, the
15 15,000 maximum level target will probably have
16 changed by then, since we will be allowing
17 overfishing to occur for at least another two
18 years, well over the 15,000 mark.

19 So when we get to 2011, the goal
20 we need to get to stop overfishing and stop
21 the decline in eastern stock will probably be
22 considerably lower. So we're sort of chasing

1 a moving target down.

2 MR. ANNINOS: Thanks, Ken. Rich,
3 one final word.

4 MR. RUAIS: A quick question. Two
5 of them, actually. Does anybody know if
6 there's been any objections by any Eastern
7 Atlantic parties to the Eastern Atlantic
8 agreement?, is number one. That the 90 days
9 has expired, I think; hasn't it?

10 You haven't heard of any
11 objections from Libya, or--okay.

12 So that furthers Ken's point. We
13 still don't know whether they even agreed to
14 it. And then just to, in further support of
15 what Glen was getting at, the swordfish catch
16 in 08 was the highest it's probably been since
17 1997, and it was still only 52 percent of the
18 quota, given that we've been transferring
19 about 2400, 2300 metric tons a year. We stand
20 to lose a substantial amount of our quota
21 share in swordfish in 09, followed by a repeat
22 of that same type of process in 2010 for

1 bluefin, since this year it's clear we only
2 caught 24 percent of our bluefin commercial
3 quota in 08.

4 MR. ANNINOS: Thanks, Rich.

5 Are we ready for the next--or did
6 you want to respond? I'm sorry.

7 MR. DUNN: No; that's all right.

8 MR. ANNINOS: Okay.

9 MR. DUNN: Okay. As we showed
10 briefly, a minute ago, there are a number of
11 assessments coming up this year. We've got
12 sailfish in June, the porbeagle, the joint
13 ICES-ICCAT porbeagle assessment in late June,
14 early July. Albacore in mid July and
15 swordfish in September.

16 So we'll have some new information
17 to work with when those issues come up in
18 November.

19 So now I'm just going to touch on
20 some of the bigger issues we expect to run
21 into this year. Let's see. As I just
22 mentioned, we've got the assessment coming up,

1 and I think everyone anticipates the
2 assessment will show that North Atlantic
3 swordfish is fully rebuilding.

4 At the last assessment in '99, it
5 was at--I'm sorry--in 2006 it was at 99
6 percent of MSY. The TAC. I don't anticipate
7 any significant changes in advice from SCRS in
8 keeping the TAC around 14,000. MSY they
9 estimate is 14, one. So I think that'll
10 pretty much stay where it is in terms of
11 advice from SCRS.

12 As a couple people have already
13 pointed out, I think that the big issue for
14 the U.S., obviously, is going to be allocation
15 of quota and catch shares, and that there's no
16 question, there's going to be a really
17 significant effort to modify current
18 allocations at that time.

19 A lot of that is being driven by
20 the emerging states as well as Canada wanting
21 to increase its share.

22 Just to sort of touch on what Rich

1 said about our landings, last year--or in 07,
2 our reported landings to ICCAT were the
3 highest since 2000. They were 2666. In 2000
4 was 2683. From '97 to 2007, we've been
5 averaging about 2500 tons. 2507.

6 Our quota for the last--since
7 2004, I think--has been 3,907. So we've been
8 pretty significantly below our quota.

9 And that did allow for dealing
10 with using our underharvest to deal with the
11 number of emerging states, but it's going to
12 be a real liability as we move forward.
13 There's no question.

14 Carryover of underage. Right now,
15 there's the limit of 50 percent "carry
16 forward." We may see a real effort to reduce
17 that, given the ICCAT review that went forward
18 last year and recommended getting rid of
19 those. So don't know that that's going to
20 happen, but that could be an issue that comes
21 up.

22 For Southern swordfish, again,

1 it'll be assessed at the same time that North
2 Atlantic swordfish is, and for the folks who
3 are somewhat new to the process, the
4 demarcation line there is 5 degrees north
5 latitude. So any swordfish caught from 5
6 degrees north, south, is considered Southern
7 swordfish.

8 Right now, there's a TAC in place
9 of 17,500. The current yield during 07 was
10 about 15.5 thousand. We would be interested,
11 U.S., of course, in ensuring that there aren't
12 any large increases in the TAC that may be
13 inconsistent with the science, but the last
14 assessment there was not very good data, so
15 there is a lot of ambiguity around the
16 numbers. So I think we'd be interested in
17 making sure that there aren't significant
18 changes that may push us over the replacement
19 yield.

20 That we may see efforts on
21 carryover of underage. That seems to be a
22 popular theme these days. And I think the one

1 place where the U.S. is going to run into an
2 issue is there may be an effort to strip away
3 the U.S. allocation of Southern swordfish.
4 Right now, it stands at a 100 metric tons.

5 However, it's been a number of
6 years since we've actually landed any. The
7 last year we landed any was in 2004. So our
8 vessels just have not been venturing south.
9 I don't think it's cost-effective.

10 I would be surprised if there was
11 not some effort to strip the U.S. of its 100
12 metric ton allocation.

13 For big-eye, as I mentioned in the
14 review portion, the U.S. had worked with a
15 number of African states to address catches of
16 small fish, big-eye and yellowfin that occur
17 in conjunction with the skipjack per seine
18 fishery in the Gulf of Guinea.

19 Essentially greater than 70
20 percent of the big-eye, in terms of numbers of
21 fish, are juveniles, are smaller than 3.2
22 kilos, and those fish eventually recruit into

1 the U.S. if they get large enough to make the
2 trip.

3 I think the real right we're going
4 to see next year, or this year, is the effort
5 to make sure the closure to FAD fishing that
6 was given lip service in 2008 actually is
7 implemented as well as the port sampling
8 programs.

9 For the TAC, the quota and
10 allocation is sort of an interesting issue.
11 The TAC right now is set at 90,000.

12 The SCRS advice is that catches
13 should not exceed 85,000.

14 The current yield, though,
15 however, is only about 67,000. So I don't see
16 a whole lot of action happening on the quotas
17 and allocations. I think most of the effort
18 will probably focus on FAD fishing, and one
19 complicating factor in addressing the quota
20 and allocation issue is--are the small
21 harvesters. So countries like the U.S., who
22 landed less than 2100 metric tons in 1999, we

1 don't have a quota.

2 Of the 90,000 ton TAC, 79,900 is
3 already allocated to a number of countries,
4 leaving just 10,100 for the remaining small
5 harvesters. There were 25 or 27 of those. So
6 if each of those countries started to load up,
7 we would blow through that TAC pretty rapidly.

8 So the trickiest thing to address
9 with big-eye in the next couple years is going
10 to be the issue of the small harvesters and
11 getting them into the quota table.

12 But again, I would anticipate that
13 TAC discussions may get pushed off to 2011,
14 when there may be the next assessment, in
15 2011.

16 Sharks. As I mentioned, there's
17 the joint porbeagle assessment between ICCAT
18 and ICES. It may provide some additional
19 impetus for ICCAT to put some additional
20 measures in place.

21 (Tape 3 begins.)

22 MR. DUNN: [in progress] needs to

1 be a little better prepared for shark
2 discussions in the future. It seems to be
3 coming up more and more frequently, and the
4 U.S. needs to be prepared when we get there,
5 spend more time preparing for shark issues
6 here and at IAC, because they're likely to
7 come back up.

8 Albacore. Next assessment is this
9 July. The TAC is at 30,200. The SCRS
10 recommendation is for catches not to exceed
11 30,000. The U.S.--you can see the second
12 bullet there. Our annual allocation is 538
13 metric tons, which is down from--in 2007, it
14 had been 607 but we got reduced, we took,
15 percentage-wise, an equivalent reduction with
16 the EC. We caught, in 2007, 532 metric tons.
17 So we were pushing right up against it.

18 But we do have a buffer. Our
19 adjusted 2008 quota is 841 metric tons. But
20 this is something we need to keep an eye on.
21 The real issue here with albacore is the EC
22 allocation. You can see it's about 25.5

1 thousand tons, and keep in mind, the TAC is
2 30,200.

3 So their share is 47 times larger
4 than the U.S. share, and the problem is
5 they're stockpiling. Their stockpile quota
6 for 2008 is 37,050 metric tons. So it's
7 larger than the entire annual allocation, and
8 clearly, if they went out and caused it, it
9 would have caused a little bit of disruption
10 in the fishery.

11 So that's an issue that will take
12 a number of countries banding together to
13 address. It's not going to be a simple issue.
14 That's for sure.

15 And then I guess just two more
16 things. Sailfish. As I said, there's going
17 to be a sailfish assessment. I think it's
18 likely to go one of a few ways. Basically
19 postponement of consideration and management
20 actions until 2010 when white marlin, blue
21 marlin come up. That's one likely one,
22 depending how pessimistic it is. Or not. If

1 it's extremely pessimistic, maybe something
2 will happen, but I can see it being punted
3 down the road.

4 Also, one thing I didn't mention
5 or make a slide for, you see the third bullet
6 there. There's the Working Group on Sport and
7 Recreational Fisheries. This stems from a
8 recommendation in 2006, and this meeting has
9 been delayed a few times. It finally has had
10 its date set. It basically is the day before
11 the compliance meeting starts, this coming
12 November.

13 So as we go through the year, keep
14 in mind that, and issues which we may want to
15 raise, or policy positions we may want to
16 take, and if you have those let us know, or
17 folks in international. I think, you know,
18 things that are likely to come up may be data
19 collection efforts and potentially gear
20 restrictions. That's one route the Europeans
21 have looked at in the past. And these are
22 just the other intercessional meetings that

1 are going to occur this year.

2 So that brings us to the end of
3 the preview. So any questions?

4 MR. ANNINOS: Thanks, Russ.

5 Any questions for--okay. Sonja.

6 MS. FORDHAM: Thank you. Sonja
7 Fordham, Ocean Conservancy. I hate to
8 disagree with Russ Dunn. I'm obviously glad
9 to hear you say that the U.S. needs to be more
10 prepared this year for ICCAT for shark issues,
11 but I have to say that not just because
12 they're likely to come up from other parties,
13 but because sharks urgently need conservation
14 and still have no international catch limits.

15 And just so everybody knows, those
16 proposals--Brazil had a proposal for big-eye
17 threshers, but it was the EU that had
18 proposals to limit catch of blue sharks, and
19 shortfin makos, and also to prohibit take of
20 all threshers, and all hammerhead sharks.

21 So I think they're coming along a
22 bit, and they're serious about that. Since

1 the ICCAT meeting just a few weeks ago, the EU
2 has come out with, ten years after promising
3 to do so, has come out with the European
4 Community plan of action for sharks, and my
5 coalition finds it's pretty encouraging. It's
6 not perfect but we're pretty happy about it,
7 and you can read more about that at our Web
8 site.

9 But I wanted to first mention that
10 in the other section, the porbeagle special
11 meeting, I would like to know if you've heard
12 anything about whether it's actually being
13 planned, the manager's meeting. And you had
14 a slide that said it was ICCAT and NAFA, but
15 I think it's actually all concerned RFMOs, so
16 it could include SEAFO and NEAF if they want
17 to be part of it.

18 That's my first question.

19 (Off-mic comment.)

20 MS. FORDHAM: Okay. Well, in that
21 case I would just request that the U.S. ask
22 about how that planning is going cause it's

1 really important to follow through that
2 meeting. For the--yes--for the RFMO meeting.

3 I just wanted to add something for
4 your own information about the porbeagle,
5 cause it says here it could result in
6 additional management measures, and since the
7 ICCAT meeting--when we went into the ICCAT
8 meeting in Europe, there was scientific advice
9 to actually prohibit landings of porbeagle,
10 and the Commission had proposed for the 2009
11 EU TAC to be zero.

12 Unfortunately, when they set their
13 quotas in December, France has the presidency
14 and France is the only country targeting
15 porbeagles in the Northeast Atlantic, and they
16 frankly abused their position as president and
17 pushed through just a 25 percent reduction in
18 the quota.

19 So that was very bad news. But
20 looking forward, it would be right after the
21 next ICCAT meeting, the Swedes will have the
22 presidency, and of course we all know we can

1 trust the Scandinavians to do the right thing.

2 And just the last point of
3 information is just that the EU has proposed
4 in their plan of action to revise, to
5 strengthen their shark finning ban to close
6 some loopholes, and also most important for
7 this crowd is to reduce the fin-to-carcass
8 ration from 5 percent whole weight to 5
9 percent dressed weight. The 5 percent whole
10 weight standard is the reason why the ICCAT
11 finning ban says that--it doesn't specify
12 dressed or whole weight.

13 So I do think in the future
14 there'll be a good possibility for improving
15 the ICCAT finning ban, and therefore probably
16 all the RFMO's finning bans. But
17 realistically, I don't see that happening b
18 the next ICCAT meeting. So they have to go
19 through a regulatory process. So it will
20 probably take us past November, into the
21 Spanish presidency. Thank you.

22 MR. ANNINOS: Thanks, Sonja.

1 Rom.

2 MR. WHITAKER; Rom Whitaker,
3 Hatteras Charter Boat. First, I'd like to
4 thank the ICCAT committee for doing, getting
5 as much done as they do. It seems like to me,
6 that the U.S. share starts small and gets less
7 every year, and I really thank them for all
8 their efforts, and I know it's a hard job.

9 But in this table under big-eye
10 tuna, it's 70 percent of big-eye tuna are
11 under 3.2 kilograms. I guess it's about 7
12 pounds. It's just shocking to me, and I have
13 a question maybe somebody can answer. Two
14 questions.

15 Actually, are these fish caught in
16 per seines, and are they caught in conjunction
17 with the yellowfins?

18 And my second question is does
19 minimum sexual maturity, size, have any
20 meaning at all? Thank you.

21 MR. DUNN: Rom, first of all, that
22 it's nowhere near their sexual maturity.

1 They're taken in a per seine fishery, the
2 majority of them, but there's also a bait boat
3 fishery that takes them. And while they're
4 co-schooling with yellowfin, both yellowfin
5 and the big-eye, the major fishery there is a
6 skipjack fishery.

7 And so the small yellowfin and the
8 big-eye, the results of spawning there in the
9 Gulf of Guinea, they co-school with the
10 skipjack, and then when they get bigger they
11 move out. And so they're taking the majority
12 of these fish, you know, at a very small size.

13 So what has helped a little bit is
14 that that fishery in the Gulf of Guinea has
15 dropped off, the fishing mortality there,
16 simply because the EC, which has some very
17 larger seiners operating in that area, has
18 moved some of their effort into the Indian
19 Ocean, and that has allowed some rebuilding
20 for yellowfin and for big-eye. But there's
21 nothing to prevent that effort from coming
22 back from the Indian Ocean into the Atlantic

1 to the Gulf of Guinea.

2 And to that point, there are
3 rumors circulating that they're beginning to
4 talk about redeploying them back into the
5 Atlantic because the catch rates in the Indian
6 Ocean are beginning to decline, which is one
7 of the reasons that the U.S. has been so
8 interested in trying to find additional
9 measures to protect those small fish.

10 Right now, there's a small closure
11 of the Piccolo Area, which went in place to
12 replacing a larger FAD fishing moratorium
13 area, and we're trying to find something
14 that's more effective than the Piccolo one
15 month closure that's in place now.

16 MR. WHITAKER: Thank you for your
17 answer.

18 MR. ANNINOS: Thanks, Rom.

19 Sonya, go ahead.

20 MS. FORDHAM: Me again. Sorry. I
21 forgot one specific request. For the
22 porbeagle assessment, I just think it's

1 important that the traditional NMFS/ICCAT
2 scientists make a point to "liaise" with the
3 Northeast NMFS shark scientists, or
4 particularly the NAFA scientists, people that
5 have been involved in NAFA, in particular,
6 because they're well aware of the porbeagle
7 assessment on this side of the ocean and the
8 fishing situation in Canada.

9 Thank you.

10 MR. HUDSON: Rusty Hudson, Directed
11 Shark Fisheries. Being that you've put
12 shortfin mako on our radar through the
13 predraft, after the ICCAT meeting in late
14 November, i've been looking over the
15 assessment and it looks like in Table I, since
16 the 2004 assessment, you've raised the female
17 maturity from seven years to 18 and a half.

18 You've also doubled the age of
19 longevity from 16 years to 32 years. I'm just
20 going to have a question at this moment.

21 Did the United States provide that
22 work to that meeting in September of last

1 year, that then went into the ICCAT meeting in
2 November? Or is that a combination of an
3 international effort?

4 But what I'd like to do is to see
5 the work and see what prompted that change.

6 MS. SCHULZE-HAUGEN: The U.S.
7 definitely participated in that assessment.
8 Guillermo Diaz, who's with the Office of
9 Science and Technology, I believe went. Oh,
10 you didn't go. Okay.

11 All of the assessments are online.
12 We can get you to them, so you can see what's
13 there, and then we can follow up with the U.S.
14 Science Center, the folks that went.

15 But Guillermo.

16 (Off-mic comment.)

17 MR. DIAZ: That includes any
18 changes that are done to the parameters of the
19 species. So if you go to the assessment
20 report, it should explain why those changes
21 were made and where the data came from.

22 MR. HUDSON: And that's the ICCAT

1 report that you're talking about, from their
2 Web site?

3 MR. DIAZ: Yes.

4 MR. ANNINOS: Thank you, Rusty,
5 Guillermo. Anybody else?

6 Rich.

7 MR. RUAIS: Rich Ruais. Russ
8 mentioned earlier, there's been considerable
9 talk, the last few years, about carryovers and
10 restrictions on carryovers, and that stems
11 primarily I think from the independent peer
12 review, which was kind of focused on the
13 Eastern Atlantic, and suggesting that they had
14 no need for rollovers.

15 And the West, unfortunately, I
16 think is getting caught up in that, and
17 unfortunately, it's a different picture.

18 I think, you know, we have a much
19 better argument for carryovers in the Eastern
20 Atlantic. We have regulations that cause
21 underages, both in the swordfish fishery,
22 especially in the swordfish fishery, and as

1 well as in the bluefin tuna fishery, and
2 there's the question of when you're looking at
3 highly-migratory fish, there's always the
4 question of availability. What's going on
5 that particular year in terms of water
6 temperature?

7 So there are some valid arguments
8 to have some level of rollovers to account for
9 those factors.

10 The interesting thing to note was
11 that in the bluefin it was fixed, as John
12 reminded me. It's not fixed in the swordfish
13 but it's fixed in the bluefin. It's
14 automatically going from 50 percent to a 10
15 percent rollover provision for the 2011
16 fishing year.

17 In the Eastern Atlantic, the Med,
18 European Community, didn't blink an eye at
19 that reduction, which I had personally wanted
20 protested a bit, that that was going to
21 happen.

22 I think it's going to be

1 interesting to watch, when that subject comes
2 up for albacore, and they've already
3 stockpiled, you know, an entire TAC. They may
4 have some problem with limits to rollovers in
5 the future, and we'll have to--

6 (Off-mic comment.)

7 MR. RUAIS: Albacores. Yes;
8 right.

9 (Off-mic comment.)

10 MR. RUAIS: Oh, okay. And is
11 still at that level.

12 (Off-mic comment.)

13 MR. RUAIS: My main point is that
14 I think that in the Western Atlantic,
15 particularly in the United States, we have
16 some legitimate reasons to look at rollovers
17 as a necessary tool to reflect domestic
18 considerations.

19 MR. ANNINOS: Thank you, Rich.

20 Rebecca, you wanted to make a few
21 comments.

22 MS. LENT: Thank you very much.

1 and good afternoon, everybody. It's nice to
2 see everyone. And I want to thank those who
3 appreciated how hard it was in Morocco. It
4 was the first time I led the delegation. It
5 was very difficult and I appreciate all the
6 support I got. Every single member of the
7 delegation made a contribution, in some way or
8 another, if only to pat me on the back when I
9 needed it. So thank you.

10 I just wanted to make a couple
11 remarks. First of all, before I forget, the
12 identification and certification proposed
13 rule, we are having public hearings. We're
14 about to come ut with the announcement on
15 those public hearings. But let me go ahead
16 and tell you.

17 We will have a hearing on Monday
18 morning, March 16th, at the Boston seafood
19 show, and we will have one some time in the
20 second week of May in Miami. So hopefully we
21 can pick up one of the events that you'll be
22 attending, and in any case, if you need a copy

1 of the proposed rule, or any information,
2 please let us know. I'll be happy to send you
3 a copy.

4 Now just a couple things about the
5 ICCAT meeting. I don't know if someone
6 mentioned, but for Western bluefin, oddly
7 enough, the biggest difficulty we had was
8 Canada. They were just being really hard-
9 nosed. They have a brand new minister who had
10 just started the week before, and the people
11 on the Canadian delegation kept telling us--
12 you know, she shops in the same grocery stores
13 as bluefin tuna fishermen in Canada.

14 And I said, well, you know, I
15 think Bill Brennan, when he goes home to
16 Maine, shops in the same grocery stores.
17 But anyway, it was a tough battle.

18 About the 15 percent, Rich, you're
19 right, and Glen, I recall, the U.S. and
20 Canada, we wanted that out. In fact the
21 Canadians wanted it out, and they told us
22 we're never going to use it anyway--let's take

1 it out. And I'm pretty sure what happened is
2 the U.K., at the last minute said, if you
3 don't leave that in here we're not going to
4 sign off on it.

5 And as you recall, it was about
6 midweek, and we really needed to pay attention
7 to Eastern bluefin. But that's my
8 recollection of what happened there.

9 On swordfish, the whole idea was
10 let's not change a thing. Let's not change a
11 thing. Let's not open any floodgates, because
12 as Rich said, we really wanted to just roll it
13 over. So the only thing we changed were the
14 dates.

15 Yes, we probably would have liked
16 to take that 15 percent out, but if we started
17 picking at it, someone else would have
18 something they wanted to change, and that
19 would be a problem.

20 The 75 percent and the two years
21 to stop overfishing, I think what was really
22 driving us there was we wanted to go 75

1 percent--and you're right, it's the low
2 recruitment scenario--but the idea was
3 previous stock assessments had been overly
4 optimistic in their projections, and we wanted
5 to cover ourselves for that overly optimistic
6 issue.

7 We think that some of that has
8 been corrected since then. In previous years,
9 when we changed the Western bluefin
10 recommendation, we actually stopped
11 overfishing immediately, and in this case we
12 allowed ourselves a couple years, again mostly
13 because of the Canadians. They wanted to
14 phase it in. So that was a problem.

15 Finally, one other thing I want to
16 say to the recreational participants is we had
17 a luncheon with Bob Hays, Russ Nelson, I think
18 Pat, you came along with us, and Chester, to
19 talk with a few other country reps, including
20 a guy from France, a guy from Spain, a guy
21 from Senegal, and they would really like to
22 have, not just the one official day workshop,

1 but a day before that, where the private
2 sector would come forward with their own
3 topics and interests, maybe something about
4 eco tours and the economic impact of
5 recreational fishing.

6 This is something that the private
7 sector needs to step forward and do, we'll be
8 happy to facilitate that, but we hope that
9 some folks'll pick up the ball and run with
10 it. Unfortunately, Bob Hays is no longer our
11 recreational commissioner. I can't talk him
12 into being on the advisory committee, so
13 someone else is going to have to take that up.

14 But I hope that we can get folks
15 engaged on that issue. Thanks again for all
16 your support and have a very productive AP
17 meeting.

18 MR. ANNINOS: Thank you, Rebecca.

19 Jim.

20 MR. BUDI: Yes. Thanks, Rebecca,
21 and thanks for your work at ICCAT. I heard
22 about it. I have a question for you related

1 to that.

2 MR. ANNINOS: Jim, just state your
3 name, just so we have it in the--

4 MR. BUDI: Excuse me?

5 MR. ANNINOS: Jim, state your
6 name, please.

7 MR. BUDI: Oh, Jim Budi.

8 MR. ANNINOS: I know who you are
9 but the microphone--the tape doesn't.

10 MR. BUDI: Sorry. That's Jim Budi
11 with the I-Fleet and Bluewater Fishing
12 Association. I have a question. We got
13 through okay, you got through okay on the
14 question of whether reallocation would be open
15 on swordfish, this past go-around, and from
16 what we've heard, we're looking at a possible
17 bloodbath, I think is the expression. I think
18 you would agree with that, coming up at us.

19 And now what's in the forefront of
20 a number of our minds, especially people in
21 the industry that are struggling, is what will
22 be the battle plan for saving U.S. quota? And

1 if the battle plan was revitalization, what
2 part of revitalization will be used in arguing
3 with all these other entities that want to get
4 at our quota?

5 What will you tell them? Am I
6 jumping way too far ahead? Or I guess what
7 I'm asking is, you know, trying to set up
8 maybe a question or some thoughts about what
9 we can do, and what we can do between now and
10 then to show that U.S. fishermen will not
11 continue to be disadvantaged, and that they
12 will have a chance, and they are going to
13 catch more fish. Anyways, what would be your
14 thoughts on revitalization and what it's done
15 so far, and where it's going to go to by then?

16 MR. ANNINOS: I know John had a
17 quick reaction but--

18 MS. SCHULZE-HAUGEN: Well, I mean,
19 obviously we've been working on this for some
20 time. I think deliberations, U.S. plans,
21 strategy, are not something that we'd really
22 discuss in this forum, and it's, honestly, a

1 little bit premature at this point, given just
2 where we are in the ICCAT process.

3 So I'll be happy to talk to you on
4 the side, but I think at this point we're not
5 going to have the debate at the AP meeting.
6 And John, I don't know if--

7 JOHN: Well, actually, Jim, this
8 will be on April 5th through 7th, we'll be
9 having a meeting of the ICCAT Advisory
10 Committee and the Spring Species Working
11 Group, and one of those species working groups
12 is swordfish and sharks, and clearly, at that
13 meeting we'll be focused, you know, as much as
14 we can on positions we could take, but
15 ultimately it's a negotiation, and no matter
16 what we say we've done with the revitalization
17 of our fishery, the data that will be used for
18 the current stock assessment, I mean, that's
19 done. They were the data that we submitted
20 through last year, the fishing year.

21 So we're--you know, nothing that
22 we do this year is going to show up there. We

1 can use it as negotiation, saying, look, we've
2 done this to our fishery, and we make the
3 case, say, look, the revitalization of the
4 swordfish fishery, the recovery of an
5 overfished stock was really--occurred on the
6 backs of our fishermen, and that by protecting
7 the juveniles of the swordfish, by closing off
8 our inshore areas, we essentially took out a
9 large portion of our fleet and we haven't
10 recovered there.

11 And so it's just how much, you
12 know, how forcefully we can make those
13 negotiations. Are we going to have to give up
14 something? Probably. Whether we want to do
15 that proactively and figure out, okay, how
16 much can we do? but then if it's the
17 developing nations that are the concern--okay,
18 we're willing to cut this much but what about
19 the EC and Canada?

20 You know, it's how we play all of
21 the parties, because ultimately, it could go
22 to a vote, and it's going to be a tough

1 negotiation, but certainly we'll be dealing
2 with that at this Species Working Group. But
3 then once we come up with some ideas there,
4 then we'll be having bilateral, trilateral
5 meetings with other countries, and well before
6 we get to the meeting in November, we'll have
7 passed several ideas past countries, trying to
8 find if there is some sort of consensus.

9 But we will do everything we can
10 to protect a reduction in our quota. But we
11 will probably have to take some.

12 MR. ANNINOS: Thanks, John.

13 Go ahead, Rebecca.

14 MS. LENT: Yes. I'll just add
15 that it's a great question, and this is a
16 really good time to start thinking about it,
17 because before you know it, we'll be at the
18 ICCAT meeting in November. We don't have to
19 hang our heads in shame to say we didn't catch
20 our quota. What we can say is we took an
21 ecosystem-based approach in the United States.
22 We reduced the bycatch of juvenile swordfish

1 and marlins, and sea turtles, and we don't
2 want to export that problem to other countries
3 by handing away our quota.

4 We think we should be rewarded, as
5 John Graves said. The stock actually rebuilt
6 faster than expected on the backs of the U.S.
7 fleet, and we've made that clear already, but
8 we'll continue to make that case, already
9 working with other countries, including
10 Canada. As hard as it was, when I got back
11 from that ICCAT meeting, it's the first thing
12 I did. I picked up the phone and called
13 Canada. We're trying to "make nice."

14 We've got a meeting with Norway.
15 We've got the Swedes in our office today.
16 We're talking to them about ICCAT issues. So
17 there's a lot of effort going on, bilaterally,
18 multilaterally. It's going to be tough but we
19 can do it, I think a really good job,
20 particularly if we get your help and your
21 advice. Thanks.

22 MR. ANNINOS: Thanks, Rebecca.

1 Oh, Glen. Go ahead.

2 MR. DELANEY: I think one of the
3 things Jim was trying to ask is what are the
4 things in this meeting that we can do to
5 provide some further ammunition to the
6 revitalization strategy, and there are some
7 things, I think on our agenda, and I guess
8 it's up for us to point out what those might
9 be, that will help increase landings of
10 swordfish in our utilization.

11 So I think there definitely are
12 things on our agenda this week that speak to
13 that, and that we'll be asking for help from
14 the Agency to make changes to regulations.

15 MR. ANNINOS: Thanks, Glen. Did
16 you see somebody else's hand? Oh. Margot.

17 MS. STILES: Hello. It's Margot
18 Stiles from Oceana. I did want to thank the
19 delegates. I know it's not like you get to
20 just go to that meeting and write down what
21 you want, and then you get it. So I
22 appreciate all the work that you're doing in

1 between meetings as well. I did want to, I
2 guess, emphasize that Oceana, particularly our
3 office in Europe, has worked really hard on
4 Eastern bluefin tuna, and i think it's good to
5 remember, and we'd like to see you keep it on
6 your list as a U.S. interest, even though
7 they're spawning over in the Mediterranean.

8 We were really disappointed to see
9 the scientific guidance not followed, and to
10 see the really high levels of fishing
11 continuing, that ultimately hurt U.S.
12 fishermen as well. The fact that those fish
13 are not coming back over to feed on this side
14 of the Atlantic cause they're getting taken.

15 So I would just emphasize that,
16 you know, Oceana is also looking for U.S.
17 leadership to keep it on your list as well as
18 focusing on our own stock of Western bluefin
19 tuna. So thanks very much.

20 MR. DUNN: Just one comment there.
21 I think it's been very helpful for the NGOs,
22 Oceana, and WRBF and Greenpeace, to keep

1 pushing on this. In fact, in Recommendation
2 08-09, the final paragraph in it specifically
3 indicates that NGOs can submit reports of what
4 they--noncompliance issues that they find.
5 They can submit it to the Secretariat for
6 review and possible consideration.

7 So there has certainly been a lot
8 of information coming in in the last few years
9 from the NGOs, which has been sort of bandied
10 about during discussions, and now, because of
11 that, I think there's been a formal mechanism--
12 -there is now a formal mechanism to get it on
13 the record and be considered. So I think it's
14 been helpful.

15 MR. ANNINOS: All right, Russ,
16 thank you, and to your team for the
17 presentation. I think we're about ready for
18 a break, I would say. I would suggest looking
19 at your watch and calculating 15 minutes from
20 this moment, and we'll be back in action in 15
21 minutes.

22 (Whereupon, the above-entitled

1 matter went briefly off the record.)

2 MR. DIAZ: [in progress] eastern
3 stock, and the red line is the DAC. And as
4 you can see, since 2003, we haven't been able
5 to catch, to complete catch the TAC, and
6 that's mostly due to a shortfall of U.S.
7 landings. What is interesting about this
8 graph is like the top if fish mortality of
9 small fish, with us remain, although viable,
10 relatively stable in the past few years.

11 However, if you look at the bottom
12 graph, and that's fish mortality of the large
13 fish, has been in sharp decline since 2002,
14 and that decline is, as I mentioned before,
15 due to the U.S. not being able to catch its
16 quota. The estimates of the spawning stock
17 biomass show that it has remained relatively
18 stable, and actually, since the beginning of
19 the rebuilding plan, we are below of where we
20 were. Rebuilding plan started in 1998, and
21 right now, we are at 89 percent of that level,
22 and we are halfway through the rebuilding

1 plan.

2 So although we haven't had much
3 progress in rebuilding the stock, at least we
4 haven't had any sharp decline lately.

5 So we look at some of the numbers,
6 some of the results of the stock assessment.

7 As you know, the SCRS has two recruitment
8 scenarios, consider both of them equally
9 possible. Under the low recruitment scenario,
10 we have a potential maximum, sustainable yield
11 of around 2800 metric tons. Under the
12 scenario, the relative biomass, it's point 57.
13 Basically, we are at 57 percent for the level
14 where we could be to sustainable--to exploit
15 the fishery in a sustainable way.

16 When we compare to the levels of
17 catches that we have in 1975, the stock is
18 only 25 percent. The current level of fish
19 mortality, and when I refer to "current," I
20 refer to the average fish mortality of the
21 last three years using the stock assessment.

22 It's 27 percent higher than where

1 it should be.

2 When we look at the high
3 recruitment scenario, the potential maximum
4 sustainable yield is around 6200 metric tons.
5 It's much higher. But at the same time, when
6 we compare the biomass in 2007 to the biomass
7 to sustain MSY, we are only at 14 percent, and
8 the fish mortality is more than twice what t
9 should be compared to FMSY.

10 So as you can see, if we assume a
11 high recruitment scenario, the stock is in a
12 much more pessimistic shape. This graph shows
13 the results of both scenarios. You've seen
14 this graph with the happy faces, and the red,
15 green and yellow quadrants, but the first one,
16 this is under the low recruitment scenario,
17 that's the position of the stock right now.
18 That's what we call the median result.

19 And all these different points are
20 different outcomes of the stock assessment for
21 year 2007. When we look at the high
22 recruitment scenario, we are further down on

1 the axis. It indicates we are more
2 overfished, if you will, and we are higher on
3 the Y axis, which indicates the overfishing,
4 is more accurate. And once again, each point
5 in that corresponds to a result of the stock
6 assessment. So when we talk about
7 uncertainty, one of the things we are talking
8 about is that spread of result around the
9 medium value.

10 So the outlook of the stock
11 depends on different issues. The first one,
12 what we'll call the productive potential of
13 the stock, or we refer to as low or high
14 recruitment scenarios. If we look at the low
15 recruitment scenarios I mentioned before, we
16 are at the 2007, only 57 percent of the level
17 required for BMSY. However, if we look at the
18 high recruitment scenario, we are only 14
19 percent. Also depends on what is the target.

20 Are we talking about BMSY?
21 Talking about 80 percent BMSY? So if we talk
22 of BMSY, the projections for the low

1 recruitment scenario give us the rest
2 scenarios, that we can reach that value by the
3 rebuilding plan. However, for the high
4 recruitment scenario there is no TAC that will
5 allow us to reach the goal of the rebuilding
6 plan by 2019. And finally, the other thing
7 that we have to consider is the probability of
8 achieving that objective, what we call the
9 risk.

10 So far, we've been operating under
11 a 50 percent probability, and now the SCRS is
12 giving advice to increase the probability, to
13 increase basically the possibility of success.

14 So the conclusions of the
15 assessment do not really capture the full
16 degree of uncertainty around those results,
17 and the SCRS identified three major issues
18 that are responsible for that uncertainty.

19 The first one is the mixing rates
20 between the East and the West stock. We know
21 they're mixing. We have some grades that we
22 can use to make those assumptions, and to

1 introduce in the models. However, depending
2 on which data set we're using, we can have,
3 for certain ages, mixing rates of as high as
4 50 percent. But using other data sets, it's
5 very, very low, of one or two percent.

6 So at this point, as promising as
7 these studies are, the SCRS was not ready to
8 make a final decision about what are the real
9 or true mixing rates. The other point is as
10 I mentioned before--the recruitment.

11 The SCRS cannot decide if the
12 recruitments that we saw in the '70s can be
13 achieved again--that would be the high
14 recruitment scenario--or it will not be
15 possible to keep maintaining the level of
16 recruitment that we have right now, even if
17 the stock increases in size.

18 And finally, no information was
19 given, was presented to the SCRS, that showed
20 that the growth curve that we are currently
21 using might not be the most accurate one, and
22 at this point as we speak, the SCRS is working

1 on this issue, on trying to solve what's going
2 on with the growth curve.

3 So taking all this into
4 consideration, the SCRS looked at the fact
5 that the stock is not rebuilding as rapidly as
6 it was projected, initially. Looking at the
7 past, projections were all really optimistic.
8 Given the certainty around these results, the
9 SCRS basically advised managers against an
10 increase of the DAC, and it recommend be more
11 conservative, and not use a probability of
12 success higher than 50 percent.

13 In order to do that, for example,
14 under the low recruitment scenario, the SCRS
15 provided information that 2000 metric tons
16 will rebuild the stock by 2019, if we use the
17 best case scenario. The SCRS also looked at
18 what we call alternative runs, and one of them
19 was not using information from the Gulf of St.
20 Lawrence, Canadian catches. If we don't use
21 that information, the result of the
22 assessments are more pessimistic, and the SCRS

1 advised, for example, to use a DAC of only
2 1500 metric tons.

3 To illustrate the different
4 possibilities, the SCRS provided this table.
5 On the left, the table on the left are the
6 results assuming a 50 percent probability of
7 success by 2019. On the right, 75 percent.
8 This column corresponds to the different
9 levels of TAC, and these are the years by
10 which the stock would rebuild, using those
11 DACs.

12 For example, if we use, you have a
13 DAC of 2500 metric tons, under the low
14 recruitment scenario the stock will rebuild
15 with a 50 percent probability of success by
16 2017.

17 Under the current DAC of 1900
18 metric tons, the stock should rebuild with a
19 50 percent probability of success by 2015.

20 If we look at the table with 75
21 percent probability of success, the DAC of
22 2000 will rebuild the stock by 2019 with a 75

1 percent probability of success. Anything
2 higher than that would not rebuild the stock.

3 Note that under the high
4 recruitment scenario, there is no DAC that
5 will rebuild the stock by 2019. Even if we
6 close the fishery.

7 This table presents similar
8 information, but with respect to pending
9 overfishing. In the left table, again, 50
10 percent probability of ending overfishing, and
11 as you see, everything that is less of 1900
12 metric tons, or 1900 metric tons, immediately
13 ends overfishing with a 50 percent
14 probability.

15 If we look at the right table, a
16 DAC of 1900 ends overfishing by 2012 with 75
17 percent, and 1800 by 2011 with 75 percent
18 probability.

19 Note that under the high
20 recruitment scenario, still, we're going to
21 stop overfishing, given with a 75 percent
22 probability of success, with 1800 metric tons

1 or less. So even though we cannot rebuild the
2 stock with the high recruitment scenario, we
3 still can stop overfishing, which is the first
4 stop to rebuild the stock.

5 MR. MURRAY-BROWN: Thank you,
6 Guillermo.

7 My name is Mark, Mark Murray-
8 Brown, as Margo introduced me, I work for HMS
9 up in the Gloucester office, where we gather
10 a lot of statistics that I'm now going to
11 share with you, and I did this, I think it was
12 a couple of APs ago at least, a large
13 presentation called Changing Trends. I want
14 to thank a lot of folks for that. Sarah,
15 Brad, from the office, Bishul, Kathy, Ron Solz
16 from SNT, and I'm going to share some snippets
17 of that data again, coming right up.

18 The full presentation of that is
19 in the back, and a copy was distributed to
20 each of you. And the big news there is that
21 it was updated from the last time we presented
22 that data.

1 What I want to do now is bridge
2 the gap, is between what happened at ICCAT and
3 what Guillermo shared with you, the science,
4 is illuminate for you the thinking, the
5 consequences of all of this for us as domestic
6 managers.

7 Sarah's going to come up right
8 after this presentation and share with you the
9 domestic specifications, the annual results of
10 the quotas, how we're going to divide them up,
11 and there is one particular thing that I
12 really want to illustrate for you, that's
13 causing us to think hard about how we manage
14 this fishery into the future.

15 I call it a focus on the middle.
16 Traditionally--and I'll get into this--we've
17 talked a lot about small fish for the
18 recreational fishermen, the large fish for the
19 commercial, and somewhere in there--and with
20 you is a graph which I'm going to get into--is
21 the latest phenomenon we're looking at, which
22 is the availability and the pressure on the

1 middle. And I'm going to get into the
2 consequences of that in a minute.

3 But, for now, what I'm going to do
4 is just run through, just briefly, an overview
5 of the fishing trends, and for this I want to
6 stand up, and if this is not working--I have
7 to stand up. Okay.

8 So this is a simple graph showing
9 from 1996 through 2008, through the end of
10 last year, in metric tons, how our landings,
11 total landings compare to the quota. I shared
12 the same graph last time, and we've added our
13 late data into it.

14 Essentially what's happening, from
15 '96 through about 2001, we were doing pretty
16 well in terms of how our landings, in blue,
17 were meeting our quota. Roughly speaking.
18 The graphs are continuing pretty high in here,
19 cause we were rolling over the quota--unused,
20 unharvested quota.

21 In 03 and 04, to draw attention to
22 this, these two spikes where the landings were

1 over quota, that had a lot to do with a study
2 that was published at the end of 2004. They
3 did a retrospective analysis on recreational
4 landings and determined in both cases, both
5 those years, landings needed to be increased.

6 And they concluded they would stop
7 there. There may have been issues in the
8 past. At that point what you see is this
9 decline that we're going to keep talking about
10 in the performance of the fishery all the way
11 through 07. Corresponding to that in the
12 blue, you see this rise in the available
13 quota, and that had a lot to do with the ICCAT
14 provision that unharvested quota be rolled
15 over and added to the subsequent years.

16 What that was doing was clearly
17 presenting something of a dilemma of this
18 rolled-over quota that was exceeding, was
19 getting to very large magnitudes. And so in
20 06, the ICCAT decided to put a 50 percent cap
21 on the quota. And you learned today, that
22 that 50 percent cap will drop to 10 percent in

1 two years.

2 So here we are today, in 2008,
3 we've seen a slight spike in 2007, a spike or
4 at least an increase in 2008. Landings have
5 been staying steady. Next slide.

6 This is where the landings are
7 coming from. Again, '96 through 2008, metric
8 tons. The colors represent each of the
9 categories in the bluefin tuna fishery. Blue
10 is the general category, the rod and reel,
11 harpoon, commercial fishery. The red is, this
12 band of magenta in here is the per seine--is
13 the harpoon. Per seine is this beige band.
14 Longline and trap the green. And on top is
15 the angling category, the HMS recreational
16 fishery.

17 You can see the lion's share of
18 the fishery had been the general category
19 fishery in terms of metric tons. These are
20 large fish. Declining significantly through
21 those same time periods I showed you for the
22 general, for the overall period. But notice

1 that the proportion of the recreational
2 fisheries increased significantly.
3 Substantially. In fact the majority of the
4 landings now, in terms of tonnage, is coming
5 out of the recreational fishery, and the
6 general category is down in this area. Per
7 seines haven't had any landings in a couple
8 years.

9 A note about effort, same time
10 series, '96 through '08, measured in number of
11 permits. Again, by the permit categories that
12 we provide, the general category, the
13 recreational, the commercial handgear permit,
14 the large red band is the HMS angling and the
15 light blue is the HMS charter head boat.

16 A note on both those permits.
17 They are HMS combined. They're not just the
18 bluefin tuna permit, recreational permit. So
19 that represents billfish fishermen--

20 (Tape 4 begins.)

21 MR. MURRAY-BROWN: [in progress]
22 the permits. In fact, we're now over 40,000

1 permits. Again, the vast majority of those
2 are recreational permits, and so a slight drop
3 in 07, that may have had something to do with
4 the fuel costs, folks not wanting to go out
5 fishing. But we're back with a vengeance.
6 Over 43,000 permits in the database that we're
7 managing.

8 Before I go into the heart of the
9 story in this, those of you that don't know
10 and love bluefin tuna, I'm going to introduce
11 you to some size names, and handed out is a
12 one-pager that's the growth curve. It's the
13 SCRS growth curve. So for those of you that
14 do know, when I talk about large school, and
15 small, medium, you won't need to refer to
16 this.

17 Those of you that are going to be
18 mystified by those terms, this will help give
19 you a guide. Along the X axis is the year and
20 age, and followed by the length, in inches, on
21 the Y. This is the length curve that
22 Guillermo said is actually under study right

1 now, but in the meantime, these bins represent
2 the size of the fish that I'm talking about.
3 The school, the large school, the small,
4 medium, and the giants.

5 Generally speaking, the school
6 considered--these are the small fish, they're
7 less than 47 inches. They traditionally were
8 the heart of the recreational fishery. They
9 call them "footballs." The commercial fishery
10 was above 73 inches, the large mediums and the
11 giants. Age and maturity is suspected to be
12 right around age seven. So they were
13 targeting fish that were just becoming mature.

14 And the large school/small
15 mediums, are these heavy fish, heavy
16 recreational fish in the middle. Next slide.

17 I mentioned that in the past,
18 prior to 07, we've heard a lot about these
19 recreational for the school fishery. That's
20 the tolerance that we keep hearing about.
21 There used to be a four year tolerance to
22 balance the school harvest; now it's collapsed

1 to two. You have to manage that within 10
2 percent of the total quota for the lot, for
3 these small fish.

4 What we've seen generally is a
5 shift in the focus out of that size class into
6 large school, small, medium. There are a
7 number of implications to that that I'm going
8 to just walk through slowly.

9 But these are larger fish and we
10 manage them in quota categories that belong to
11 the recreational fishery, from 47 inches all
12 the way up to 73 inches. Next slide.

13 These are the three groups I'm
14 talking about. The school fishery, the large
15 school, small, medium, and the large, medium,
16 giants. Generally, for simplicity's sake,
17 I've broken them into three large bins of
18 fish.

19 In metric tons, comparing the
20 quota to the landings. Quota in blue,
21 landings in red. This is for 2008. So this
22 is very modern data, and again I thank the OPS

1 folks and the SNT for giving us this data.

2 I'm going to make two points here.

3 One is hopefully intuitive. That there are
4 more small fish per ton than there are large
5 fish. In fact, there are about 55 school fish
6 per ton versus five giants per ton.

7 This is a long-lived fish. The
8 age growth curve shows you the range and the
9 size of the way these fish work. So in metric
10 tons, what we're seeing is a 119 metric ton
11 quota for the school fish but only--in 08, we
12 were down, only about 54 tons of them were
13 landed.

14 Correspondingly, in the large,
15 medium, giants, the big commercial fishery
16 have a large quota, but again we're seeing
17 these low suppressed landings. It's the
18 middle where the action is. We've exceeded
19 quota here. Again. Last year we did the same
20 thing. These are these large fish in that
21 middle size bracket. This is in weight. If
22 you compare this to the next slide, in

1 numbers, what you'd expect is what you see,
2 because of the more small fish per ton than
3 there are large fish.

4 Schools are up in the thousands
5 now in terms of numbers. The large school/
6 small medium, in terms of numbers are by far
7 the dominant catch in this fishery in 2008.

8 And the large mediums and the
9 giants are picking up the end. Next slide.

10 For those of you--this fishery's
11 distributed from Florida up to Maine. We've
12 divided up, just to try to graphically show
13 you, generally, where these landings are
14 taking place.

15 So from 2002 to 2008, divided the
16 fishery into three regions. The first column
17 in each of these segment sin Maine to
18 Connecticut, the New England fishery. New
19 York to New Jersey in the middle and Delaware
20 to Virginia, which is the limit of the LPS,
21 for the last column, with numbers of fish on
22 the Y axis. What we're seeing is that,

1 generally speaking, certainly in the early
2 years, in 02 and 03, most of the fishing
3 effort and distribution are taking place in
4 New York, New York south, the Delmarva
5 Peninsula had a lot of activity, but later on,
6 especially in 07, we started seeing a lot of
7 activity in the New England area.

8 But the most important point is
9 again the kind of fishing that took place. It
10 wasn't these blue bars for the school fish.
11 It was these magenta bars, or the large
12 school. And the small medium make up a
13 portion at the end.

14 This is the slide that I want to
15 spend the most time on. This is an LPS graph
16 from Science & Technology. It shows from
17 2003, 2004, 05, 06, 07, and 08, frequency, the
18 number of fish is on the Y axis, and size
19 bins, by inch, along the X. You can forget
20 the colors; don't worry about the colors.
21 Those are the detail of which states are
22 catching what, and I know many of you do care

1 about that. But that's not the point of the
2 story.

3 I showed this graph before, two
4 years ago, and I was going to reiterate what
5 we're looking at. In 03, we saw essentially
6 a fairly uniform distribution of landings,
7 across the size range of the fish. These
8 lines in here represent those size classes I'm
9 talking about.

10 The first bin is the school, the
11 next one is the large school, and the last bin
12 is the small mediums.

13 So the top graph in 03 shows a
14 pretty robust set of landings, distributed
15 nicely across the size range.

16 In 04, it begins to break up a
17 little bit but it's still distributed across
18 the size range of the fish. In 05, what
19 begins to appear is a skewed distribution at
20 the front end of the, the early part of the
21 fish. These are the small schools. These are
22 the class "footballs," the little guys. Not

1 much happening; beginning to "tail off."

2 06 was a peculiar year. We had to
3 really manage this thing, throttle it down to
4 keep at 10 percent for the four year period.
5 So bag limits were very, very low. In fact,
6 we only had one fish in the northern part.
7 We did it by the area.

8 In 07 is the beginning of a modal
9 distribution. The middle. Very little behind
10 and very little after. And that's the data I
11 shared with you last time I was here, and said
12 we're going to keep an eye and see if this is
13 going to continue.

14 Well, here we are in 08. "It
15 continuing" means this, or looks like this to
16 us. If you take a line, and you draw it down-
17 -you can do it; right? You can see
18 potentially what we're calling--we're seeing
19 a cohort of fish moving, progressing through
20 the fishery. There is some hope that there's
21 some smaller fish back in here. There's a
22 tail, more pronounced, smaller tail than there

1 was a year before. These are big fish. These
2 are large schools. Large school fish.

3 Again the colors don't matter
4 about the states. We've got different terms
5 for what we're looking at here. Some marching
6 cohorts. It's a coming through time.

7 My next slide is designed to
8 really just hammer home the point of what
9 we're looking at and considering for 09 and
10 10, looking ahead. This is the same slide as
11 before. I just clipped out the first two
12 years with the relatively uniform distribution
13 of 03 and 04. So that's just the 05, the
14 beginning of the tail, a bit skewed at the
15 end, marching down.

16 And here we are in 09,
17 anticipating, essentially. We're looking for
18 comments, feedback, thoughts. That this group
19 of fish we can expect to start appearing off
20 your coasts, wherever they are, in 09,
21 probably--probably in this area, if this trend
22 continues.

1 Hopefully we'll see some more
2 coming back. But that is where we expect to
3 see the fish. These are very big fish. These
4 are small mediums. This is the 73 inch. This
5 is a spawning line, basically, before you get
6 to the large mediums. So essentially, we're
7 thinking that if that is to continue, and in
8 09 they end up in this bin, in the large
9 school, in the small mediums, looking real far
10 ahead, in 2010, these could be entering the
11 commercial fishery.

12 And so the dilemma now, or the
13 question that we're posing to ourselves is how
14 to manage bag limits currently, given the size
15 of these fish, and the availability of the
16 fish, given they've gone over quota. The
17 possibility is what this means biologically,
18 we've got this one chunk of fish moving
19 through, and implications for 2010, looking
20 out two years ahead, what this means for the
21 commercial fishery. And to join the dots for
22 you, what that means as managers, and Sarah's

1 going to present what do the bag limits look
2 like, how do we divide up the quota, given the
3 constraints of the FMP, the regulatory
4 environment that we work in.

5 The next two slides offer a
6 snapshot of--for those of you who are
7 wondering, those previous slides go up to
8 through the end of the 73 inches. They're
9 from the OPS. These slides look at the entire
10 U.S. commercial dataset that was submitted to
11 ICCAT. To the SCRS. And it includes
12 discards. This is for 2003, 2004, 2005, 06,
13 and 07. Curved fork length along the bottom.
14 The line in the middle represents 73-inch
15 fish. So everything to the right of this line
16 are the commercially accessible, fished by the
17 commercial categories, greater than 73 inches.

18 It includes discards. So you'd
19 expect to see, and you do see, data to the
20 left of that line as well. Two of three
21 things to point out on this, is that again,
22 confirming in 03, we had a pretty good robust

1 commercial fishery. In 04, it started to drop
2 off. 05, 06 and 07 were down with the
3 remnants.

4 One of the reasons we looked at
5 this was do we see another kind of cohort
6 moving in here? It is possible to discern
7 what I showed you for the rec fishery
8 reappearing in commercial. I don't think it's
9 in here, but what we do see, potentially, is
10 more of these--more discards is what these
11 are, of smaller fish, that could potentially
12 represent, again, the availability of those
13 small mediums that are available out there.

14 This graph I can just skip over.
15 We've seen the average weight of the large
16 fish, especially in the rod and reel, drop
17 significantly, substantially, until about '94.
18 Since then it's stayed about level, stayed
19 about constant.

20 And I'll stop there. Sarah's
21 going to get into all of the numbers, of
22 looking at those landings and those quotas

1 that I just showed you on a couple of bar
2 graphs, and how those are going to play out as
3 proposed in 09. I'm pleased to share with
4 you, we got that out on the street this
5 morning. So thank you very much.

6 MS. SCHULZE-HAUGEN: Ken, are you
7 working?

8 MR. HENMAN: Yes! All right.
9 Thank you very much. I was fortunate enough
10 to catch a presentation you gave a couple
11 years ago, it was a really good presentation,
12 and I think I made a comment on this before,
13 and forgive me if it sounds stupid all over
14 again.

15 Can you go back to the slide where
16 you looked at the time series of your size
17 distributions. Now that's all predicated on
18 what's able to be landed. That is, bag limits
19 and the different sizes of fish that people
20 are able to land are going to differ from year
21 to year; correct?

22 (Off-mic comment.)

1 MR. HENMAN: Do you think that has
2 any potential effect on this?

3 MR. MURRAY-BROWN: Indeed.

4 Actually, I remember this conversation before,
5 and I was trying to--that's right. These
6 statistics are fishery-dependent data, and so
7 to that extent, all of the caveats that would
8 go with that dependency play-out has to do
9 with effort, the regulatory regime, as much as
10 biological phenomenon, the availability of the
11 fish, their migration, and the changing trends
12 presentation started to tease at that a little
13 bit. I glossed over all of that this time.

14 MR. HENMAN: I guess further to
15 the point: Do you think there's merit in--or
16 probably know the answer to this, it's
17 predicated on a number of things--but have you
18 investigated the idea of implicating log book
19 programs or other things like that, to get a
20 better idea of what's actually out there
21 versus what's being landed?

22 MR. MURRAY-BROWN: Yes; quite a

1 bit. The log book programs that we have now--
2 there is an extensive log book program, as you
3 know, for the commercial, especially for the
4 longliners. Recreational fishery's monitored
5 totally differently. It's done by survey.

6 But there are efforts underway now
7 to quantify and survey the fishery quite
8 differently. I don't know if log books are a
9 part of that. To the extent they're already
10 covered under other programs, some of that
11 data's been captured.

12 MR. HENMAN: Thank you.

13 MR. ANNINOS: Thanks, Jason.

14 John.

15 DR. GRAVES: Thank you. Nice
16 presentation.

17 MR. ANNINOS: John Graves.

18 DR. GRAVES: John Graves. Nice
19 presentation, Mark. A couple a questions. If
20 you go to the slide for the, looking at effort
21 with the HMS permits, and you note that
22 there's been a large increase in effort, well,

1 looking at the permits alone, when did they
2 become required, and didn't you guys have a
3 huge problem getting compliance with that?

4 So is that really--are you looking
5 at an increase in effort, or just maybe an
6 increase in compliance?

7 MR. MURRAY-BROWN: And/or an
8 increase in--

9 DR. GRAVES: Right. I mean, you
10 could check the effort, clearly, with MRFSS or
11 with the LPS survey

12 MR. MURRAY-BROWN: Yes.

13 DR. GRAVES: But going back, then,
14 to your cohort size, showing the sizes as they
15 increase--and you mentioned that people were
16 focusing on these fish, and I think that's
17 probably not a good term cause it implies some
18 sort of selectivity in the anglers. I think
19 the anglers are out there and that's what's
20 available to them in those areas at that time.

21 But as we look at the increase in
22 the sizes, what strikes me is the lack of

1 recruitment that we're seeing in the younger
2 year classes through these. And so you're
3 seeing the progression of a strong year class,
4 and you're wondering here whether or not this
5 year class, you know, what it's going to be in
6 09 and what it's going to be in 2010.

7 Well, if you consider Rooker et
8 al's recent work on stable isotopes, that it
9 says that a large fraction of these school
10 fish off the Midatlantic are actually of
11 Eastern origin, they may be returning.
12 Similarly, Rebecca Dickit at VIMS, has
13 recently done some work on pollutants that are
14 stored in the fatty tissues of bluefin tuna,
15 that are not metabolized, and the ration of
16 pollutants--it turns out that in the
17 Mediterranean they pollute differently than we
18 do here, and that's a signal, it doesn't give
19 you natal origin but you can use it to look at
20 where they've gained biomass.

21 And so you have a huge difference,
22 you know, in your young-of-year fish showing,

1 between the Med and the West, and so you have
2 a "discriminant" function there, and when you
3 start looking at the composition of two-year-
4 old fish off of our Coast, 60 percent of those
5 are of Eastern origin, and 13 percent of the
6 fish taken in the spawning grounds in the Med
7 had recently acquired a good share of their
8 biomass in the West.

9 So that group of fish, the 6-year-
10 old fish, 5-year-old, 6-year-old fish, you may
11 not see them here because they may be going
12 back to the East to spawn.

13 And if you think about it, I've
14 only been in this business for about 14 or 15
15 years, or maybe a little longer--but listening
16 to the talks of the bluefin, you know, the
17 projections of what we're going to have with
18 great year classes, and it's always, well, we
19 thought this was going to be a good year class
20 but it never showed up in our commercial f,
21 and that's because, most likely, a lot of
22 these animals are derived from the

1 Mediterranean, they're feeding over here
2 during their teenage years, and they return
3 back to the Mediterranean to spawn.

4 And so it may well be that we're
5 not going to see those fish here. But what is
6 encouraging about this is that in the year
7 class that you're following through there,
8 was, preceded the year before they entered the
9 fishery as one-year-old fish.

10 They were available, offshore, as
11 young-of-year fish, and off of North Carolina
12 and Virginia during the--usually in September,
13 we get reports of little tuna, and most of the
14 time we go out there and they're little
15 blackfin tuna. But that year they were
16 bluefin, and this last year, in 2008, we had
17 a very large abundance of young-of-year fish
18 that were 12-, 13 inches long, in early
19 September.

20 So I would predict that what
21 you're going to see in 2009, cause you're
22 going to see a lot of fish showing up in the

1 Virginia and Maryland fisheries in June and
2 July, that are just going to be right there at
3 the barely legal tuna size, and 24 to 27
4 inches, and so good recruitment.

5 But, you know, as you look at it,
6 just remember that there's now a pretty good
7 body of evidence that suggests a large
8 fraction of those fish that we consider to be
9 our school fish actually are Mediterranean
10 origin, and they have an earlier reproductive
11 time. They leave us 60 to 80, 90 pounds, and
12 so over there, and so a lot of times what we
13 see is a promising year class moving up into
14 our commercial fishery. It never pans out.

15 MR. ANNINOS: Thanks, John.

16 Glen, I'm going to put you in the
17 bottom right. Rich, Andre and Ralph.

18 MR. RUAIS: Rich Ruais. I wanted
19 to ask Guillermo some questions but John--you
20 know, now I want to ask John more questions
21 than Guillermo. Yes; okay. Guillermo, you
22 moved kind of fast and I lagged you in your

1 presentation, and so I missed things. By the
2 time I catch up to what you're saying, I'm
3 sure I missed something important.

4 But what were you saying about the
5 scientist advice on mixing? Were you
6 suggesting there's a change in the advice on
7 mixing, that--well, let me just ask that
8 question. Cause I haven't seen any of that in
9 the narrative of the summary of the results,
10 of the executive summaries and the stock
11 assessment itself.

12 But is there advice now that
13 mixing is maybe less important? Is that what
14 you were suggesting?

15 MR. DIAZ: No; not quite. What
16 the SCRS did is took different sources of
17 information regarding mixing rates. One of
18 them is the work that John was just
19 describing, and, you know, you've seen that,
20 but you have different rates of mixing for
21 different age groups.

22 And young animals might be as high

1 as 50 percent. But this is one source of
2 information. The SCRS also has information
3 from tagging studies, that shows that the
4 mixing rates are lower than 50 percent.

5 So what we did was we ran BPA
6 models with mixing, using the different mixing
7 rates that we have at eye level, and the
8 results were quite different. And since we
9 cannot, at this point decide, which are the
10 true mixing rates, because all these different
11 sources have shortcomings, the SCRS recognizes
12 that mixing rates is extremely important, that
13 can affect the results of the stock
14 assessments, but we cannot, as of today, make
15 a decision, what are the true mixing rates and
16 we are putting more effort on trying to find
17 out. But we are not in any way dismissing
18 mixing rates, or saying that they are not
19 important.

20 DR. GRAVES: Okay. So there's
21 still no change in how mixing is being
22 incorporated into the stock assessment itself

1 for the Western Atlantic?

2 MR. DIAZ: When you run mixing
3 rates, when you make, run them all with mixing
4 rates, you run for both stocks together. And
5 you're right. No. All the results are based
6 on models that have been around without
7 consider mixing.

8 DR. GRAVES: Okay. I had a
9 question for Mark. You know, that's again a
10 second time we all see that presentation and
11 it's very informative. I wish we had a
12 similar analysis to see what's going on in
13 terms of the Central Atlantic catches,
14 primarily the Japanese, and how you could
15 probably track, to some extent, that same year
16 class. And I think it's not only in the
17 Mediterranean.

18 When I was listening to John talk,
19 my thoughts were it's not only in the
20 Mediterranean that we're likely--you know,
21 when we think the next year, boy, there should
22 be one year bigger, and for those in the

1 commercial fishery it's going to be a great
2 year, and they don't come back, it's not just
3 in the Mediterranean that some of them are
4 getting caught up. We think it's the Central
5 Atlantic is the key, one of the key mixing
6 areas, that we lose a lot of that
7 productivity, and that's why we've tried to
8 focus management attention on that Central
9 Atlantic.

10 But anyways, that's attached for
11 SCRS to take a look at that. The mixing
12 report did a good job of examining that back
13 in, whenever that was done, but it's kind of
14 dated right now. Thank you.

15 MR. ANNINOS: Thanks, Rich.

16 Andre, Ralph and then Tom
17 DePersia.

18 (Off-mic comment.)

19 MR. MURRAY-BROWN: For those that
20 don't, may or may not know, what a lot of
21 folks are referring to is this recent study by
22 Rooker et al, and I've just posted a graphic

1 that the author kindly let me use to share in
2 case this came up, and so all citations,
3 references, this is all Jay Rooker's work, so
4 this is his piece, and it's in Science.

5 And just briefly what you're
6 hearing, now twice, is interesting. To the
7 extent that there may have been thought, or a
8 paradigm that those West Coast fish and East
9 Coast fish, and we knew that the "twain" did
10 mix, what we didn't know, or at least Rooker's
11 beginning to show--it's preliminary--is where
12 mixing is taking place is in an area that
13 perhaps hadn't been suspected.

14 He's got these little--he's got
15 these--do you see the cartoons of the fish
16 that represent small fish, middle fish, big
17 fish? Well, if the blue is Eastern stock and
18 the red is Western stock, these percentages
19 you're hearing John Graves and others talk
20 about represent this distribution in these
21 smaller fish, the paradigm being only big fish
22 migrated. Well, that's being challenged.

1 And to the extent that it's taking
2 place fairly regionally, Midatlantic versus
3 Gulf of Mexico, and Gulf of St. Lawrence, also
4 has some information in it that we need to
5 consider. Thank you.

6 MR. ANNINOS: Thanks, Mark.

7 Ralph, Tom and then Myron. And
8 the mike that Andre was using was not
9 registering on your--even though the light was
10 on, wasn't it? Let's try one more time.

11 MR. PRATT: It's Ralph Pratt.
12 Mark, you did a good job. I actually followed
13 that bunch of fish through the year classes,
14 and I did notice what John Graves noticed as
15 far as what happens in 2006, 07, and 08. How
16 come there's no recruitment there?

17 One of John's comments was
18 relative to the year of the young, and one
19 area in the middle Atlantic being mostly
20 derived from the Eastern Atlantic, and I think
21 John got a bunch of samples from, up off of
22 Stellwagen a couple a years ago, and I was

1 wondering what the result of that was.

2 You know, where were those fish
3 from? You know, they were mostly fish less
4 than 47 inches, I think, at that time.

5 MS. SCHULZE-HAUGEN: He's nodding.

6 DR. GRAVES: I can't give you an
7 answer to that right now, but what we've done
8 is rather--we have over a thousand fish, and
9 we have 14 micro satellite, LOSI for each
10 fish, as well as a thousand base pairs in the
11 control region of the mitochondrial genome.

12 It's a huge amount of data, and
13 before cranking it, we wanted to look at the
14 fish that were of intermediate ages. We
15 wanted to have very large sample sizes of fish
16 that we knew were clearly Eastern or Western
17 fish, and to do that we've concentrated our
18 sampling on young-of-the-year fish from the
19 Mediterranean and young-of-the-year fish from
20 the Western Atlantic, and getting young-of-
21 year fish in the Western Atlantic has been a
22 challenge. They're not always available,

1 although I've gone out every year, and this
2 year we got a good sample, we got a good
3 sample in 2003, and these have been augmented
4 recently with the Gulf of Mexico sampling by
5 the NMFS observers of the adults that are
6 taken there.

7 And so we now have very robust
8 sample sizes of the Mediterranean, of what we
9 know are true Mediterranean fish and true Gulf
10 of Mexico fish. And so now we're in the
11 process of finishing our collections. We have
12 one-year-old fish, two-year-old fish, and
13 three-year-old fish from consecutive years,
14 for at least three years, from the
15 Midatlantic, and so now--as well as giants
16 from New England.

17 And so we're just in the process
18 of finishing all the holes in our dataset
19 before we actually do the analyses. So I
20 cannot tell you now, but I will have answers
21 by April, when we have the--we'll have a
22 little special session at the ICCAT Advisory

1 Committee meeting on April 5th to discuss
2 mixing and bluefin. So I should have it then.

3 But of course all the people that
4 have sent us samples will get that information
5 when we get it. But rather than doing it in
6 dribs and drabs, we've decided to just "take
7 the bull by the horns," get the complete data
8 set and then go ahead and do the analyses.

9 But, right now, I think that the
10 stable isotope, composition of the ODA list as
11 well as the pollutants in the bluefin tuna,
12 those both agree incredibly well. So I would
13 be surprised if the genetics would disagree
14 with that. They may be less sensitive than
15 those techniques just cause genetics operates
16 on sort of a more evolutionary time scale than
17 the pollutants and stable isotopes.

18 MR. ANNINOS: Thanks, John. Thank
19 you. Ralph. Tom, Myron and Bobbi.

20 MR. DEBERSIA: I had two points.
21 The first one is reiterating what John had
22 said. It's not that the focus was on the

1 larger fish, the larger school fish. The
2 focus was on what was there. We found, last
3 year, there was very few small fish, very few
4 fish under 47 inches. I think we caught three
5 all season, and almost all the fish that were
6 caught were over forty-seven.

7 To answer Ralph's question, we had
8 given about a 100 samples to John Graves the
9 year before, 2007, and there was a pretty good
10 split of fish there, fish that were under 47
11 and there was fish that were over 47, and if
12 I'm not mistaken, John said a 100 percent of
13 those fish came from the Gulf of Mexico.

14 So most of those fish that we have
15 on Stellwagen are, if I'm not mistaken, came
16 from the Gulf of Mexico.

17 MR. ANNINOS: Thanks, Tom. I
18 didn't catch if that was question or not; but
19 okay.

20 I'm going to go through the whole
21 list. We have a long list. Myron, Bobbi,
22 Shana, Rom, Glen, Chris and Lisa.

1 So Myron, you're up.

2 MR. FISHER: Thank you. Mine's
3 just clarification for myself. On the annual
4 distribution chart, slide 23. Mark, the
5 numbers, the frequency on the left axis, what
6 units are they?

7 MR. MURRAY-BROWN: Those are
8 numbers, Myron.

9 MR. FISHER: They're just
10 individual.

11 MR. MURRAY-BROWN: Individual
12 numbers. Yup.

13 MR. FISHER: Okay. So it's not
14 hundreds and thousands. So it's very easy,
15 that just a small shift somewhere could have
16 altered the peaks, the individual numbers.

17 MR. MURRAY-BROWN: Shift in...?

18 MR. FISHER: Well, if they're just
19 individual numbers, it's not a lot of samples.
20 It's not like you have a curve of thousands.

21 And I guess my question is, is
22 that if there is a drastic shift in the next,

1 coming years, with the uncertainties, can we
2 feel we've fished out the cohort or that these
3 fish migrated to the East? Would there be any
4 way of tracking this?

5 MR. MURRAY-BROWN: Well, that's
6 the thing. That's what I'm actually really
7 curious, what your thoughts are, and its
8 connection to the East, I left the slide out,
9 seeing it's come up I wanted to put it in
10 there because that's part of it.

11 Forgive me for one comment. If
12 I've talked about focus being the fishermen's
13 focus, that was my error. I meant
14 management's focus is on the middle. I'm
15 actually glad you're confirming--it was the
16 availability of the fish. I didn't think, all
17 of a sudden, the rec center were charging off
18 to 50 plus inch fish; by preference. But if
19 those are the fish that are available, that's
20 what we're seeing. I can't speak to the
21 stats.

22 And I'm sort of looking at Ron, if

1 there's anything to add about numbers, and the
2 way the LPS--those are the numbers of the
3 observed intercepts; correct? Individual
4 numbers. Correct.

5 (Off-mic comment.)

6 MR. MURRAY-BROWN: Did everyone
7 hear that? Everyone got that?

8 MR. ANNINOS: Bobbi, Shana, and
9 then Rom.

10 MS. WALKER: Thank you. Did I
11 understand him to say that each bar
12 represented a fish?

13 (Off-mic comment.)

14 MS. WALKER: I've got a couple
15 questions. I have limited experience, but
16 some experience in stock assessments and
17 models, and I agree with the statement that
18 was made earlier, that the mixing rates can
19 make a significant difference. But depending
20 on the model that you use, and the model that
21 was used for this stock assessment, how much
22 were the catches, these estimated catches, how

1 much did they affect the outcome of the
2 assessment in the model?

3 MR. DIAZ: I don't have with me
4 the different graphs that show the different
5 outcomes, but it affected, you know, the
6 results enough for the SCRS to decide that we
7 were not ready to put mixing into our models,
8 given the uncertainty that we have around
9 those mixing rates.

10 But I can bring those graphs
11 tomorrow and I can show them to you, Bobbi.

12 MS. WALKER: Okay. And then I had
13 one more question, and it was about this one,
14 and of course I can see the strong year class
15 moving through also. But I noticed that
16 someone said earlier, that once you get to the
17 small medium and the large medium, the
18 fecundity is higher. So would they be
19 spawning at the time that they're caught here
20 in our waters? And would that show that we
21 have higher recruitment, or that we should
22 have higher recruitment?

1 MR. DIAZ: These are all immature
2 fish. They are not mature yet.

3 MS. WALKER: So at seven they're
4 not mature?

5 MR. DIAZ: Age of maturity is
6 assumed to be eight years old.

7 MR. MURRAY-BROWN: Actually, not
8 in this presentation but in the last Changing
9 Trends presentation, there's a graph that came
10 from Guillermo Diaz and Steve Turner. Not
11 that one. That's age and size. That's just
12 age and size. But in the handout that Sarah
13 provided called Changing--what slide is that,
14 Sarah? What number slide? Slide four.

15 Slide four on the Changing Trends
16 statistical presentation, you'll see a
17 maturity graph.

18 MS. WALKER: This is what you
19 handed out. I think it was a single sheet,
20 and I thought I understood you, or someone, to
21 say that seven years of age was maximum?

22 MR. MURRAY-BROWN: I might have

1 said--if you look at the graph there, the
2 fish--there are some precocious fish that
3 might--got it?

4 MR. ANNINOS: Bobbi, is that it?

5 MS. WALKER: Thank you.

6 MR. ANNINOS: Thank you.

7 Shana, Rom, and then Glen.

8 MS. MILLER: I have a couple
9 questions. First of all, with the mandatory
10 call-in reporting for the recreational caught
11 bluefin, has there been any increased
12 compliance with that? Or do you still need to
13 rely solely on the LPS?

14 MR. MURRAY-BROWN: The latest
15 statistics show, unfortunately, a slight
16 decrease in compliance.

17 MS. MILLER: All right. Well,
18 that's good news.

19 MR. MURRAY-BROWN: Sorry. With
20 the ALRS. With the call-in; with the call-in
21 system.

22 MS. MILLER: Right. Yes. And

1 looking at the tonnage of large school/small
2 mediums, in 2007, it was 362 metric tons, and
3 then in 2008, I see 381 metric tons, and given
4 that you all cut the bag limit in half for
5 that size class, because of the overage in the
6 large school/small mediums, what do you
7 attribute the increase in landings to?

8 MR. MURRAY-BROWN: Well, that's
9 one of the questions we're trying to pose in
10 the specs. The two immediate answers that
11 come to mind is A, availability, and B, the
12 weight. So if everything stayed constant,
13 same amount of effort, fish all behaves
14 exactly the same way, fishermen skills exactly
15 the same, what we're seeing is--and the
16 availability of the fish in the water are
17 getting bigger. So does that--so even though
18 the bag limit is becoming--is always a blunt
19 tool but it's becoming blunter.

20 MS. WALKER: Well, yes, even
21 looking at the numbers, though. You have 8200
22 to 7600. So there is a decrease, I understand

1 what you're saying about the size of the fish,
2 and I guess looking at the graph it's also
3 availability. But still, to cut the bag limit
4 in half and get an increase is still kind of
5 surprising to me.

6 MR. DIAZ: No, I understand, but
7 what we're talking about is that that one fish
8 that you caught the year before was later, and
9 became heavier, and you have this marching
10 cohort. So we are pretty much following this
11 cohort, which is the only thing that is
12 available for the fish and these fish are
13 becoming heavier and heavier.

14 Last year, the weight of three
15 fish last year, maybe this year is only--you
16 reach that weight with two fish. So even when
17 you are cutting down the numbers, the fish are
18 getting heavier.

19 So that contributes, in part, that
20 you are catching less fish, but you are
21 catching more in tons.

22 MR. ANNINOS: Thank you, Shana.

1 We have about six more people on
2 the list. I hope we can kind of move quickly
3 through this. Rom, Glen and Chris.

4 MR. WHITAKER: Yes. Rom Whitaker
5 and Hatteras. And I just want to make a
6 couple points. But if you look at Slide 14,
7 I think about the quotas and landings, which
8 I've been involved in the bluefin fishery,
9 pretty active for about the last 16 years.
10 But what I want, maybe some people in this
11 room to realize, that aren't involved in it,
12 is that of course we're not--our landings
13 aren't meeting our quota, and I think a lot of
14 people are assuming that the fish aren't out
15 there.

16 Well, that's not true. I mean, an
17 example is last March, April, I could catch my
18 one fish, 47 to 73, and then we might release
19 15, 20, however how many, till they got tired.

20 So there's lots of fish. And I
21 guess my point I really want to make is when
22 we go back to ICCAT, to say that we're not

1 catching our quota, so that, you know, we're
2 going to give it to somebody else, well, these
3 fish are utilized. There are a lotta people
4 that like to pay me a full day charter to go
5 out there and catch and let 'em go, and maybe
6 just keep one.

7 So maybe we need to figure out
8 some way to count this in our utilized stocks,
9 so that we don't lose it when we go to ICCAT.

10 And that was one of my points.

11 I think the chart where the
12 permits--I think it was 2002 or 203, where,
13 instead of having a bluefin tuna permit, you
14 had to have an HMS permit, which was basically
15 the same thing, but that's why the number
16 expanded so rapidly. I think you had to have
17 a permit. It went from, I forget, 2500 to
18 30,000, pretty quick. But anyway, my third
19 observation is on Slide 21, when we were
20 pointing out the size of fish coming up
21 through, and you all did a great job with this
22 presentation. Even I understood it. That

1 says a lot.

2 But at any rate, I noticed--that
3 might not be the one. Okay. Anyway.

4 But I noticed--Slide 23. Okay. I
5 noticed where North Carolina's data wasn't
6 used at all in there, and I was just curious
7 as to why, and would it make any difference?
8 Thank you.

9 MR. MURRAY-BROWN: The short
10 answer there is it's the LPS, the Large
11 Pelagic survey, so that starts from--this is
12 the data from the survey. So it's from
13 Virginia, north. And North Carolina always
14 makes a difference.

15 MR. WHITAKER: Well, I would hope
16 so, and I know it was very accurate data. So
17 I would think maybe incorporating it would
18 help. Thank you.

19 MR. ANNINOS: Thanks, Rom.

20 Glen, Chris, Lisa, Margot and Jim.

21 Glen.

22 MR. DELANEY: Thank you. I think

1 your question is, you know, what are our
2 thoughts on your--

3 (Tape 5 begins.)

4 MR. DELANEY: [in progress]

5 fishery, and, you know, the more I'm sitting
6 here, thinking and listening to what people
7 are saying, I think it would be a dangerous
8 game to try to do that. For a number of
9 reasons.

10 I think someone suggested that
11 your class, as soon as it crosses 73 inches,
12 is going to go to the Mediterranean and spawn,
13 and we'll lose access to that in the
14 commercial fishery. And as we know, fish that
15 are of Mediterranean origin spawn at age four
16 and are about 47 inches.

17 So if they were going to leave, en
18 masse, to go spawn, they probably would have
19 done that in 2007, at the very least, 2008,
20 cause that's when they would have been at
21 Mediterranean spawning age. So I'm not sure
22 that the trigger--they don't go to the

1 Mediterranean when they're 73 inches. They
2 spawn in the Gulf of Mexico when they're 73
3 inches.

4 So that whole premise doesn't work
5 for me. I'm not saying that there aren't a
6 certain significant percentage of those fish
7 that may be of Mediterranean origin, but
8 certainly not the whole cohort. Not even
9 close based on Rooker's. You know, depending
10 on where you are on the coast, you go from
11 just about a 100 percent Western fish to, you
12 know, something 60 or 70--I forget what the
13 number was. But nowhere near is this whole
14 cohort going to disappear and go to the
15 Mediterranean.

16 And again, I'll stress, that if
17 there were the case, they would have left when
18 they reached spawning age and size, which was
19 two years ago. So I think to try to play, you
20 know, roulette, and say, okay, what's going to
21 happen next year with this cohort, I mean, to
22 me, that already suggests that these may well

1 be heavily Western fish because the Eastern
2 fish would have left by now.

3 So as these fish get older and
4 older, and larger, the proportion of Western
5 fish should go up, cause the Eastern ones, as
6 they reach 47 inches, age four, should be
7 leaving, according to what a lot of people
8 think.

9 I see John Graves shaking his
10 head, no, and I'll be glad to listen to--

11 (Off-mic comment.)

12 MR. DELANEY: Well, certainly they
13 spawn at a larger size.

14 (Off-mic comment.)

15 MR. DELANEY: Well, I think other
16 people, other than yourself did.

17 (Off-mic comment.)

18 MR. DELANEY: If I could finish my
19 point, John. Thanks.

20 Also, I think that the young-of-
21 the year that John brought up, that he's
22 catching out there now, I'd like to hear his

1 thoughts about whether or not those fish could
2 possibly be of Eastern origin. The young-of-
3 the-year, going to be off the coast of
4 Virginia that quickly. Maybe they are. I
5 don't know.

6 (Off-mic comment.)

7 MR. DELANEY: Yes.

8 MR. ANNINOS: The young-of-the-
9 year fish are 12 inches long, Glen, and those
10 could not have come from the Mediterranean.

11 MR. DELANEY: Right.

12 (Off-mic comment.)

13 MR. DELANEY: Exactly. So my
14 point is that you could have large cohorts
15 that may be from the Mediterranean off the
16 economic at any given time, or they may be
17 Western origin cohorts, and to take, you know,
18 a snapshot in Rooker's work, and say that's
19 going to define what exists in any given year,
20 when we know these fish, in all sizes,
21 certainly, well before they're mature, move
22 back and forth. I think that's a really

1 dangerous game.

2 You know, two years from now, that
3 proportion of Eastern and Western fish may be
4 very different. The cohort that John is
5 seeing off of Virginia and Carolinas now, the
6 one-year-old, or young-of-the year, may become
7 the dominant cohort in this scenario.

8 So I guess I've always felt that
9 nothing is ever the same with bluefin tuna for
10 very long, and there's no reason to believe
11 that it's a static situation that's going to
12 repeat itself exactly the same way this year,
13 next year, ten years from now.

14 You know, look at the status of
15 the Western population over the last 40 years,
16 or whatever the dataset is. I mean, something
17 has really changed there. There is no
18 apparent spawner-recruit relationship left in
19 the stock. So I hear where you're going.
20 This is fascinating stuff. But to try to
21 predict what should our management response be
22 in the coming years, I think is dangerous

1 because of all those questions I'm raising.

2 I don't see how you do it.

3 MR. DIAZ: Glen, you're right, and
4 that's one of the problems that the U.S. has
5 with these mixing rates. Us promising these
6 research aids, as you said. We have suggested
7 that this research be extended in a way that
8 we can go back in time. These mixing rates--
9 we don't know if 20, 10 years ago, we had the
10 same mixing rates or not.

11 So again, it's very promising,
12 it's very interesting, but these mixing rates
13 were from using random, systematic sampling.
14 It was just fish that were available. So we
15 don't know if they represent exactly what's
16 going on with the two stocks and how much back
17 in time we can go and apply this to mixing
18 rates.

19 MR. DELANEY: And John, my point
20 to you was if you could respond when I was
21 finished making my point, I'd be grateful,
22 cause I was asking you as well as Guillermo.

1 So please--

2 MR. ANNINOS: I don't think we
3 have time.

4 Chris, Lisa, Margo and Jim.

5 MR. WEINER: Hi. Chris Weiner. I
6 just wanted to comment. Ever since the Rooker
7 report came out, I've had a lot of issues with
8 it because, for example, in the Gulf of Maine,
9 if you look at the numbers, if you look at
10 that chart you had up with the red circles,
11 blue circles--I'll wait for you to get it up,
12 the Rooker report.

13 Yes; that one. If you look at the
14 Gulf of Maine, it basically shows that, if you
15 were to go by that, that there's only Western
16 fish in the Gulf of Maine. That's not true.

17 Anyone that fishes the Gulf of
18 Maine, any dealer from the Gulf of Maine could
19 tell you that's not true. And I talked to one
20 of the lead investigators of the report, and
21 if you look at the sampling size, it's tiny,
22 and they're all from one spot, one month.

1 So if you want to try and draw all
2 these--and if you look behind the numbers
3 here, you know, assuming that in the Med they
4 only catch Eastern fish, I would bet my life
5 that's not true, and, you know, so it just
6 scares me to hear people talking like "this is
7 the gospel" and that this is fact, when this
8 is based on microconstituents, which is just
9 one tiny part of research.

10 And it probably has promise, but
11 this is preliminary work, and so it just
12 scares me that we're sitting here talking,
13 like this is fact, this is gospel, and that we
14 should be basing what's going to happen in the
15 future on this. I would say there's a lot
16 more mixing, both ways, and just because, you
17 know, they saw a lot of Eastern fish, maybe
18 one year, that doesn't mean that all these
19 fish we have now are going to grow up and go
20 across, which is also implying that these
21 aren't Western fish, which is also implying
22 that we have more issues and probably should

1 cut our fishery more, which is what this
2 report is really getting at; you know.

3 So I would just urge caution,
4 trying to base too much on one report that's
5 not even based on that much sampling and it's
6 preliminary.

7 MR. MURRAY-BROWN: Just very
8 briefly. I threw the slide up in preparation
9 this comment might have come up, so is in
10 response to comments from the AP. Glen, thank
11 you for latching on to the question. The
12 question, not to be too mundane, was really
13 about management measures, it was about what
14 do we do with the specifications, regulatory
15 amendment, FMP, that kind of management
16 advice.

17 To the extent this confounds, is
18 new, is interesting, but for all the reasons
19 you're saying, may not quite be ready for
20 primetime, it's just interesting, though, and
21 I know folks have heard about it, came up. I
22 just wanted to show the slide so you could see

1 it. Thank you.

2 MR. ANNINOS: Thank you.

3 Lisa, Margo and then Jim.

4 MS. GREGG: Well, I just wanted to
5 pass along some information to John, Andre,
6 NMFS folks, whoever. We are having a
7 situation in Southeast Florida around Fort
8 Lauderdale, West Palm, that area, where we've
9 got probably young-of-the-year-sized bluefins
10 showing up in state waters, like within three
11 miles, and so I don't know how that fits in to
12 your--yes--that graph--if it does at all.

13 But I just wanted to make sure
14 that you knew they were there, that they were
15 being taken into consideration.

16 MR. MURRAY-BROWN: Actually, I
17 think it's thanks, partly to you, that folks
18 are aware of that, and we're really curious to
19 learn more about what's going on. Every year
20 it's different.

21 MR. ANNINOS: Margot and then Jim,
22 and we'll wind it up.

1 MS. STILES: Margot Stiles from
2 Oceana. I wanted to thank you for the
3 presentation, and also, just in terms of where
4 management should go, in general, I feel like
5 Oceana's looking for a conservative approach.
6 It sounds really good to try and go for a 75
7 percent chance of success instead of a 50
8 percent chance of success. I mean, if you're
9 going to bother to do anything, I feel like
10 you want more than a 50 percent chance of
11 success of doing it. Otherwise, what's the
12 point?

13 So I would just say, generally,
14 that I feel like that's a good way to go
15 within the U.S. as well, and also I haven't
16 heard people say--and I don't think that the
17 different scientific studies say, any of them,
18 that there's no mixing, and I just feel like
19 there is some amount of mixing from what we
20 know, and we don't know how much.

21 But if there is mixing, then the
22 direction that we need to go is more

1 conservative because it means we're going to
2 have a couple fewer fish, maybe only a few,
3 but maybe a lot fewer fish. So just to be
4 short on that, that'd be all I'd say on the
5 mixing.

6 Finally, I feel like there's a lot
7 of talk about uncertainty on the mixing.

8 Another area of uncertainty that would really
9 help us to know more about, is on discards, on
10 both discard mortality and on the level of
11 discards, and that's another area where it
12 would be really good to shore up the model and
13 to be really confident about some fish that
14 might not be getting counted, or you might be
15 having to extrapolate from very small
16 datasets. So just, you know, if you have any
17 extra money lying around, then I would direct
18 it to finding out more about discards.

19 Thanks.

20 MR. ANNINOS: Thank you, Margo.

21 Jim. Your mike, and state your
22 name.

1 MR. BUDI: Hi. I'll try to keep
2 it short; real short. In a stock assessment
3 that's labeled as Western Atlantic, you know,
4 our boats are running into Japanese longline
5 boats, and the Canadians are having a heyday
6 up there, like they've never seen bluefin
7 before, and maybe never before in history. And
8 I'm just wondering to what extent the stock
9 assessments we're talking about here would
10 include any data from boats that are fishing
11 not too far outside our EEZ.

12 That would be one question. and
13 then another--and then a comment. As far as
14 discards, I think that's a topic dear to the
15 heart of our fishermen, who certainly don't
16 want to be in a position where they're not
17 allowed to keep the fish they catch, and as
18 far as utilizing the stock, we're in a
19 situation now where there is a chance that the
20 U.S., just like with swordfish, is going to
21 lose bluefin.

22 As much as there might be some

1 concern about stock assessment showing some
2 potential disaster in the end, if ICCAT
3 doesn't believe that, especially with the
4 Western Atlantic, we're still in a position
5 where, in making a management response to what
6 we see, we still might be in a position where
7 we have to "catch it or lose it," in which
8 case that might be the topic for consideration
9 as we go further into our meeting today and
10 tomorrow. That's me.

11 MR. DIAZ: To answer your question
12 regarding the data from other countries, ICCAT
13 took assessments, used data from all
14 countries. So when I presented the results of
15 the Western bluefin tuna stock assessment, I'm
16 not talking about the results of just using
17 U.S. data. This assessment included data from
18 every country who has a quota.

19 MR. ANNINOS: Okay. Thank you.
20 Thank you, Jim. I think we're ready to move
21 on.

22 MS. SCHULZE-HAUGEN: Okay. At

1 this point we'd like to transition to the
2 actual specs. The proposed rule came out
3 today. There were copies in the back. I hope
4 there were.

5 And so Sarah's going to walk us
6 through that presentation, the measures to
7 implement ICCAT recommendations, and then some
8 of it in light of some of the other more
9 domestic trends that we've been seeing.

10 So with that. Others can--the
11 specs are not in the back. Do we have--okay.
12 We'll work on handing them out.

13 There should be, hopefully, the
14 ListServ, that also has the--no ListServ. So
15 we'll look in the presentation, PowerPoint
16 that's being handed out as well.

17 MS. McLAUGHLIN: All right. I'm
18 going to go ahead and start. I am Sarah
19 McLaughlin. I am in the HMS office up in
20 Gloucester. As you know, today, we published
21 the Proposed Rule for the 2009 bluefin quota
22 specifications and effort controls. The

1 proposed action would establish new baseline
2 quotas to implement the 2008 ICCAT
3 recommendation and set the sub quotas per the
4 allocations that are in the consolidated HMS
5 FMP.

6 The baseline landings quotas and
7 category sub quotas would be effective until
8 changed, which would be as a result of a new
9 ICCAT recommendation, which we expect in 2010
10 at the earliest.

11 It would apply underharvest
12 consistent with the ICCAT recommendation,
13 resulting in quota specifications for the 2009
14 fishing year, and it would also propose
15 general and angling category daily retention
16 limit. Those are the effort controls. Right
17 there.

18 So as you've heard at the 2008
19 meeting, ICCAT recommended a reduction in the
20 Western Atlantic TAC, set to allow for
21 rebuilding through 2018, from 2100, on the
22 left, to 1900 metric tons for 2009, and 1800

1 metric tons for 2010. These TACs are also
2 intended to end overfishing by 2010, and I'm
3 going to be focusing on 2009, yellow,
4 greenish-yellow column.

5 So after deductions are made from
6 the TAC of 1900 metric tons for Bermuda, and
7 St. Pierre they each get 4 metric tons. 95
8 metric tons for Mexico, including incidental
9 longline catch in the Gulf of Mexico, and some
10 quota for the Northeast distant gear-
11 restricted area where there's incidental
12 bluefin catch while fishing for swordfish.
13 That's 15 metric tons for Canada, 25 for the
14 United States. After you take that away, off
15 the top of the 1900, the U.S. share of 57.5
16 percent is applied and the result is a one
17 thousand nine point nine baseline U.S. quota.

18 If you also account for the 25
19 metric tons we get for the Northeast distant
20 area, the total U.S. quota is 1,034.9 metric
21 tons. So you'll hear me talk about those two
22 numbers, the total U.S. quota of 1,034, and

1 the U.S. baseline of 1009.9. That's what
2 actually gets split up to the FMP allocations.

3 And for comparison there, you've
4 got the 2006 total U.S. quota of 1190 and
5 baseline of 1165, that were in effect in 2007
6 and 2008.

7 The 2008 ICCAT recommendation also
8 includes some other provisions you've already
9 heard about today. As in the past, it
10 includes a provision to subtract overharvest,
11 if applicable. It doesn't apply for the U.S.

12 Underharvest may be carried
13 forward to the next year but cannot exceed 50
14 percent of the initial TAC, and the way the
15 U.S. interprets that is the total U.S. quota.

16 So for the U.S., 50 percent of
17 1,034 would be 517.5 metric tons that we could
18 carry over. The actual underharvest in 2008
19 was 705 metric tons but we're limited to the
20 517 and a half. And as you've heard, after
21 2011, only 10 percent of a contracting party's
22 quota can be carried forward to the next year.

1 So underharvest from 2010 into
2 2011 would be limited to 10 percent of the
3 2011 U.S. total quota.

4 there's also a provision that
5 limits harvest of bluefin under 115 cms. or 30
6 kms., to no more than 10 percent of the
7 contracting party's quota.

8 On average, over the 2009-2010
9 period, this is a change, as you've heard from
10 the four year period we had from the 2006
11 recommendation, which was 2007 through 2010.
12 That was the next few years.

13 And the U.S. manages this
14 provision by limiting the quota of school
15 bluefin, which is 27 to 47 inches, to no more
16 than 10 percent of the total U.S. quota.

17 So for school bluefin, 10 percent
18 is 103.5 metric tons.

19 And lastly--this one's for Rich--
20 the ICCAT recommendation allows a one-time
21 transfer within a fishing year of 15 percent
22 of the contracting party's quota. So for the

1 U.S., that would be 155.2 metric tons. And we
2 have not used it, to date. If we were to do
3 it, it would be a separate action, and many
4 things would be taken into consideration. The
5 amount of quota to be transferred, the
6 receiving party's compliance status,
7 environmental impacts, etcetera.

8 So that would be a separate
9 action. But it is, as you'll see, something
10 that we're going to put aside consistent with
11 the recommendation.

12 Since 2007, the U.S. quota has
13 been inclusive of dead discards. Before then,
14 there was a 68 metric tons dead discard
15 allowance. The U.S. must report dead discards
16 to ICCAT annually, and accounts for the
17 mortality as part of the specification
18 calculation process.

19 The best available estimate NMFS
20 has right now is from 2007, so it's used as a
21 proxy for 2008, and it's 90 metric tons.

22 So consistent with the quota

1 regulations, NMFS would subtract that 90
2 metric tons from the amount of quota available
3 for the longline category, for the 2009
4 fishing year.

5 And you'll see this better on the
6 next slide. But the best available
7 information indicates the pelagic longline
8 landings and discards for 2007 totaled about
9 164 metric tons. So NMFS proposes to use a
10 certain amount, 82.5 metric tons of
11 underharvest, to cover the anticipated
12 landings and discards during the 2009 fishing
13 year, making available additional landings
14 quota.

15 In this case, it allows the
16 fishery to operate normally and avoid discards
17 that would result if the longline fishery was
18 closed due to the quota being filled while
19 fishing for other species.

20 So you'll see it better here, and
21 hopefully you can make out the numbers on your
22 handout a little bit better as they're quite

1 small.

2 I'm going to spend a bit of time
3 on this table. If you look across the bottom,
4 you see the totals. So this table shows the
5 proposed baseline, that totals 1009.9. It
6 includes the dead discard, how we account for
7 the dead discards, which is the 90 metric
8 tons, and the distribution of the 517.5 metric
9 tons that we are allowed to carry forward.

10 So the adjusted quota would be
11 1,437.4 metric tons, total. If you look at
12 the longline category row, you see the math
13 for how we provide sufficient quota for the
14 longline fishery to operate in 2009.

15 So there's the baseline quota of
16 81.8 metric tons. Then we account for the 90
17 metric tons dead discards, and we 82.5 metric
18 tons of underharvest, so that they're left
19 with 74.3 metric tons. That's the amount of
20 landings in 2007.

21 The shaded box there in the
22 longline row is the 25 metric tons for the

1 Northeast distant area. It's independent of
2 the baseline quota, so we just kind a show it,
3 tuck it off to the left there.

4 On the reserve line, toward the
5 bottom, you see the allocation of the 15
6 percent of the total U.S. quota, the 155
7 metric tons for potential ICCAT transfer.

8 The reserve also has 2.5 percent
9 of the quota per the FMP. So that number is
10 larger. You know, in the right-hand, you see
11 that the reserve total is 180 metric tons, and
12 that can be used in season, as necessary.

13 Then in both the baseline and the
14 adjusted columns, you see the sub quotas that
15 are consistent with the percentages in the
16 consolidated HMS/FMP. So, for instance,
17 school bluefin is 10 percent of the U.S. quota
18 and can't be increased, so it's the same in
19 both the baseline and adjusted columns.

20 It says "final" up there but
21 that's just adjusted. So it's 103.5 metric
22 tons for school bluefin. About 18.5 percent

1 of school bluefin is held in reserve for in-
2 season adjustments and research, and then the
3 remainder is split, north and south, of Great
4 Egg Inlet New Jersey, with about 47 percent to
5 the north and 52 or 53 percent to the south.

6 The trophy category gets about 2
7 percent of the angling category quota, and the
8 large school/small mediums get the remainder
9 of the angling category quota when the schools
10 and the trophies are tallied. And that's
11 divided, north and south, as well.

12 You can also see the general
13 category sub quotas. June through August gets
14 the bulk of the general category quota at 50
15 percent. September gets 26.5 percent.
16 October and November get 13 percent of the
17 general category quota, and January and
18 December each get about 5 percent.

19 Okay. I'm going to move to the
20 general category daily retention limit.

21 In December, NMFS adjusted the
22 January general category retention limit to

1 two fish via an in-season action. We selected
2 this retention limit following a review of
3 dealer reports, daily landings trends, the
4 winter fishery performance over the last
5 several years, and the relatively small
6 baseline January sub quota, which is what we
7 were working with in December. We haven't set
8 the adjusted quotas yet, obviously, because
9 we're just proposing them now.

10 So it's been at two fish in the
11 winter fishery, which is mostly North
12 Carolina. That's closed now as of January
13 31st and the fishery reopens June 1st.

14 So based on low landings rates in
15 the last several years, it's highly unlikely
16 that the June through August sub quota could
17 be filled with the default limit, which is one
18 fish per vessel.

19 As you know, and as you've seen in
20 the graphs, commercial landings have--or
21 sorry--general category landings in 2008 were
22 42 percent of the baseline and 31 percent of

1 the adjusted general category quota. So we
2 proposed three fish per vessel for the June
3 through August sub period. That's usually how
4 we do it, we go ahead and set it for June
5 through August, and then, as needed, after
6 looking at daily landings rates, make
7 adjustment for September and maybe October,
8 November, December.

9 And so providing a three fish
10 retention limit, which is the maximum allowed
11 under the current regulations, is expected to
12 maximize the opportunity to harvest the
13 general category quota without exceeding it.

14 The other alternatives are one
15 fish per day and two fish.

16 Since 2006, NMFS has established
17 angling category retention limits as part of
18 the quota specifications proposed rule to get
19 feedback comment on the alternatives.

20 This is a schematic we put
21 together of all the considerations NMFS has to
22 make when setting, especially after everything

1 you've heard today, the 2009 daily retention
2 limit. We've got the reduced ICCAT quota,
3 Western bluefin quota, a reduced U.S. quota,
4 and therefore all the sub quotas.

5 So we've got an angling category
6 quota of 216 metric tons, that NMFS needs to
7 constrain landings to.

8 We've got this new two year school
9 bluefin management period, and we don't have
10 complete landings, recreational landings
11 estimates until the end of the year. So that
12 complicates managing the fishery within a two
13 year period. And we also examine the results
14 of the 2007 and 2008 fishing seasons, which,
15 as you've heard, we're seeing a lot more large
16 school and small medium landings, heavier fish
17 being landed.

18 So as Mark showed earlier, and
19 acknowledging John and Tom's points, prior to
20 2007, the recreational fishing activity
21 largely resulted in fishing opportunities for
22 school bluefin, and more recently, we're

1 seeing more landings of large school and small
2 medium-size class bluefin.

3 We're seeing the trend towards
4 heavier fish, particularly in the large school
5 and small medium size classes, and you saw
6 that on Mark's slide, but here, I'm just
7 isolating 2007 and 2008.

8 And here again, if you look at the
9 lines for the size classes, you see in 2007,
10 we believe that the fish were approximately
11 age four. 2008, moving into age five, and the
12 majority in the large school size class.

13 So as you heard earlier, we were
14 talking about anticipating movement of these
15 fish into the small medium size class, and so
16 as this cohort of fish grows in weight, but
17 are still managed within the large
18 school/small medium quota, we expect that the
19 large school/small medium sub quota would be
20 obtained with fewer fish landed.

21 This table shows the adjusted
22 quotas and landings by size, for 2007 and

1 2008. At the bottom, we've got the retention
2 limits that were in effect in 2007 and 2008,
3 and at the right, the proposed 2009 adjusted
4 quotas.

5 In the last few fishing years,
6 because availability and landings have been
7 high, the angling category quotas have been
8 exceeded. Under a retention limit of one
9 school bluefin and two large school small
10 mediums in 2007, the total angling category
11 landings were nearly double the adjusted
12 angling category quota, largely due to the
13 large school/small medium landings.

14 For the 2008 fishing year, as
15 Shana pointed out, we lowered the retention
16 limit to one school and one large school/small
17 medium bluefin, but despite these lower
18 limits, we estimate that the angling category
19 was exceeded by approximately 30 percent, and
20 although the school bluefin landings fell well
21 beneath the sub quota, the landings of large
22 school/small mediums were two times the

1 associated quota.

2 One thing I want to point out is
3 that when we were under the four year
4 balancing period for school bluefin of 2007 to
5 2010, if you look at the first two years of
6 school landings, 155 and 55 metric tons, we
7 were on track to stay within the 10 percent.

8 So all these factors have led us
9 to consider three alternatives that are as
10 restrictive or more restrictive than the 2008
11 daily retention limits, in order to ensure
12 that the angling category quota is not
13 exceeded. The proposed is one bluefin between
14 27 and 73 inches. That would maintain the
15 current default level which has been in effect
16 since January 1st.

17 The two other alternatives are one
18 school, which is 27 to 47 inches, plus one
19 large school or small medium between 47 and 73
20 inches. This was the limit that was in effect
21 last year, 2008, from mid February through
22 December.

1 And a third alternative would be
2 one school bluefin, 27 to 47 inches, plus for
3 certain dates, one 47 to 73 inch bluefin. The
4 last alternative, it would be one school
5 bluefin for the whole fishing year, and then
6 as I said, for certain dates, allow an
7 additional large school/small medium.

8 This is similar to how NMFS
9 managed the school fishery in 2006, using the
10 north/south line, again at Great Egg Inlet New
11 Jersey. In 2006, the school fishery was open
12 in the south for three weeks in July, and then
13 in the north for about three weeks between the
14 end of August and September.

15 So we're looking specifically for
16 comments on that alternative, to see how you
17 think that could work and what the specific
18 dates would be, and whether it would involve
19 using the north-south line.

20 Given that the retention limit
21 will expire September 31st, 2009, NMFS would
22 consider the results of the 2009 fishing year,

1 and the retention limits that are implemented
2 in deciding what the appropriate retention
3 limits would be for 2010 or any subsequent in-
4 season action.

5 Just as a reminder cause I put
6 this in the rule, and then the ListServ
7 notice, the daily retention limits apply,
8 regardless of the duration of the trip. So
9 whether it's a two-day trip, or two trips are
10 taken in one day, you can't possess more than
11 the daily retention limit. So, for instance,
12 a two day general category trip, you still
13 only have three fish under the proposed
14 action, not six.

15 Published today. The comment
16 period ends March 20th. We're going to have
17 two public hearings, one in Gloucester on
18 March 4th, one here in Silver Spring at the
19 NOAA Science Center on the 17th of March, and
20 the intention is to publish the final rule in
21 May for implementation in June.

22 This is the comment information

1 for submitting comments through our regs.gov
2 portal. The number that we use for labeling
3 the comments is at the top of the screen
4 there, and you can also mail comments to me,
5 or fax them to Gloucester.

6 If you have any further questions,
7 you can contact me in Gloucester, here's my
8 phone number, and any further HMS issues to
9 the HMS Management Division, here, in
10 headquarters, and I'll let Margo--just one
11 quick note on slide eleven, I think we have an
12 error on one of the--507.4 is repeated twice.
13 The large/medium giant landings should be--I
14 think the math would be 1.2. So sorry about
15 that.

16 MR. ANNINOS: Okay. I have some
17 early bidders on my list already but I want to
18 do a time-check real quick. Thank you, Sarah.

19 It's about 5:15. I think, Margo,
20 we have a 5:45 public comment period. Or is
21 that flexible? Or do you want to shoot for
22 that? That's a half an hour from now.

1 MS. SCHULZE-HAUGEN: I guess I
2 would ask members of the public, if they would
3 like to speak, we can try and take a break at
4 that point, so that, you know, if they're
5 coming for that we make that time available.

6 If they're flexible, we can, you
7 know, check in with them and go from there.

8 Are there members from the public
9 that wanted to speak?

10 (Off-mic comment.)

11 MS. SCHULZE-HAUGEN: Okay. I
12 guess I didn't see that.

13 MR. ANNINOS: We can take--I mean,
14 we can pause at 5:45 and just inquire if
15 anybody's ready to say something, and then we
16 can pick up where we left off. I mean, we can
17 continue this conversation as long as you
18 would like to have this conversation. I'm not
19 sure it would go into 9:00 o'clock tonight but
20 we shouldn't feel too beholden to stopping at
21 5:45 is my point. Okay?

22 I have on my list right now Tom,

1 Glen, Ernie, Dick, Shana, Pat, Rich and Ralph.
2 And Rom and Steve. And why don't we hold it
3 there for just a moment. I'll continue
4 inquiring as we go.

5 So go ahead Tom. You start us
6 off.

7 MR. DEBERSIA: Tom DePersia. My
8 first comment is I thought we were advisers.
9 I can't understand why you couldn't wait a day
10 before coming out with the rule and find out
11 what our feelings were, first. But anyhow, it
12 is what it is.

13 My comment is on the one fish
14 limit. I think it ought to be as it was last
15 year, one between 27 and 47 inch, and one
16 between 47 and 72. The charter business is
17 based on perception more than reality. A
18 charter customer perceives what he thinks he
19 might catch on a trip and that's what he bases
20 his charter on, not what he actually catches.

21 So we'll get charters where we
22 wouldn't have got them before. I mean, if a

1 person thinks, well, there's a possibility of
2 catching two fish, they'll book the boat. If
3 they said, you know, there's six of us can we
4 only catch one fish, they'll do something
5 else, or they won't book us.

6 So that's one of the reasons why I
7 think that. And, you know, last year, we
8 caught very few of those smaller fish. So it
9 really wouldn't eat into the quota that much,
10 if those small fish aren't around, and even
11 though we have a two fish limit, I think last
12 year I caught a total of three of the smaller
13 fish. So we didn't a whole lot of those
14 smaller fish on to the quota, and so I don't
15 think that's going to make a significant
16 difference as far as how long the season's
17 going to be.

18 So I really think that two fish
19 scenario is better for the charter industry
20 and it's not going to make a whole lot of
21 difference in the long run, unless an amazing
22 amount of the small fish show up.

1 In terms of the north-south line,
2 I think a lot has changed over the years as to
3 where the distribution of fish is. So maybe
4 that needs to be readdressed. Several years
5 ago, as you mentioned before, there was more
6 fish to the south and very few fish up in New
7 England, and I know when they make--you know,
8 and years ago, when I used to work with
9 Recreational Fishing Alliance, the termination
10 was because there were so many fish caught in
11 the south. So perhaps you want to relook at
12 where the north-south line is and what the
13 percentages might be as far as catch now,
14 cause I think it's changed.

15 MR. ANNINOS: Thank you, Tom.

16 Glen, Ernie and Dick.

17 MR. DELANEY: I learned my lesson
18 a bit early. Just a quick clarification,
19 Sarah, on slide three. As I understand it,
20 our U.S. quota is 57 percent plus 25 tons. So
21 is the 1165 the 57 percent and the 1190 is 57
22 percent closer to 25 tons?

1 MS. McLAUGHLIN: For 2006, the
2 1190--

3 MR. DELANEY: Yes. I'm just that
4 as a reference point--

5 MS. McLAUGHLIN: Right. The 25
6 metric tons has already been taken off the
7 top.

8 MR. DELANEY: I know. But the way
9 it works is 57 percent of the western TAC plus
10 25 tons.

11 MS. McLAUGHLIN: Right.

12 MR. DELANEY: Or a western tag--I
13 mean, not the U.S quota less 25 tons.

14 MS. McLAUGHLIN: It's on top of
15 the percentage.

16 MR. DELANEY: It's on top of the
17 57 percent.

18 MS. McLAUGHLIN: Right. It's
19 sort of independent of that.

20 MR. DELANEY: So then for 06, then
21 the 1165 is the 57 percent and 1190 would be
22 the plus 25?

1 MS. McLAUGHLIN: Right.

2 MR. DELANEY: Okay.

3 MS. McLAUGHLIN: So 1034 is the
4 total on that.

5 MR. DELANEY: The minus sign threw
6 me off. The second question I have, real
7 quick, is Slide 11. If you've already
8 experienced--and, you know, I don't really
9 know how you divide the adjusted quota into
10 the different size classes, and how you
11 allocate the tonnage to each of those. I have
12 no idea how that's done cause I don't really
13 focus on the recreational side. I'm probably
14 making recreational people nervous by even
15 addressing this, but--what is he doing?

16 But I do like to go out in the
17 summer with my son and catch these things.

18 So why would you continue to
19 allocate what you already can anticipate will
20 be too small a quota for, say, small mediums?
21 You've already experienced substantial
22 overages in the past two years, and based on

1 your cohort coming through, there's going to
2 be a lot more small mediums caught, at least
3 in some areas, and maybe start to see some in
4 the large mediums, even.

5 Why would you continue to
6 distribute it that way, knowing full well
7 you're going to--you know--high expectation of
8 exceeding those numbers?

9 MS. McLAUGHLIN: Right. Because
10 those are FMP percentages, that's how the
11 angling category gets split up, is the most
12 important number is the 10 percent for
13 schools, and then it's divided by the FMP
14 shares.

15 MR. DELANEY: And those were
16 developed a million years ago and nobody's
17 quite sure why, but we live by them now. And
18 then what do you adjust? You move from one
19 size category to another to cover your
20 overages after the fact? It seems like if you
21 redistributed those, you could take care of
22 some of the concerns that people have about

1 one fish, two fish limits.

2 MS. McLAUGHLIN: Glen, I don't
3 understand that last point. If we
4 redistributed--

5 MR. DELANEY: Yes. If you put a
6 lot more fish in small mediums, you might be
7 able to have a different management response
8 in terms of what your trip limits are.

9 MS. McLAUGHLIN: And those fish
10 would come from where?

11 MR. DELANEY: Huh?

12 MS. McLAUGHLIN: Where are you
13 saying those fish would be moved from?

14 MR. DELANEY: Well, it looks like
15 you're substantially underharvesting school,
16 and I keep hearing people say we don't catch
17 many of those, and the data seems to show
18 that. I don't--

19 (Tape 6 begins.)

20 MR. ANNINOS: Ernie Panacek, Dick
21 Stone, Shana Miller.

22 MR. PANACEK: Ernie Panacek.

1 Okay, guys. I don't have much time here.
2 With respect to the longliners, and the
3 bycatch retention limits, I certainly would
4 like consideration to increase the retention
5 limits, and of course as the slide showed,
6 there's a substantial amount of discards. It
7 really doesn't affect the quota but it will
8 enhance the value of the related catches, and
9 you could consider a modest increase in
10 incidental retention limits.

11 It also--and I think it's been
12 mentioned before, that consideration for a
13 higher-value catch would also attract more
14 boats, at least in our--I'm from Barnegat
15 Lake, New Jersey. It could attract more boats
16 back into the industry, to allow swordfish
17 production, swordfish landings.

18 I could see that almost
19 immediately affecting our fleet in Barnegat
20 Lake, New Jersey.

21 MR. ANNINOS: Thanks, Ernie. Go
22 ahead, Dick.

1 MR. STONE: Dick Stone. I'd like
2 to really second what Tom said about
3 perception. Particularly in these tough
4 economic times, I think it's important to give
5 people at least a hope of catching fish when
6 they go out, and I think, if you look at what
7 might happen, I'm getting a little bit to what
8 Glen was talking about--even if there are more
9 fish caught in the large school/small medium
10 category, that is not where the real problem
11 is. The problem lies in the 10 percent above
12 the school fish fishery, which we don't dare
13 want to exceed that for fear of getting bumped
14 by ICCAT.

15 So I'm favoring the one fish, 27
16 to 47, and one over that. And then if things
17 go as they've been going for the last few
18 years, the large school/small medium, even if
19 it's over its quota, doesn't make any
20 difference because we've got--really, that
21 category can be assumed by quota we have for
22 other categories that are not being taken.

1 So we're not going to go over any
2 total quota.

3 MR. ANNINOS: Thank you, Dick.

4 Shana.

5 MS. MILLER: On the issue of
6 perception for recreational anglers, if this
7 six year old, this cohort is six years old
8 next year, I would think that it will be easy
9 to get a charter if you have these 180 pound
10 fish in the fishery versus the smaller fish,
11 and I would argue that a 150 to 180 pound fish
12 is plenty of meat for a six pack charter. And
13 so I would support the proposed action of the
14 one fish bag limit.

15 Also just looking at the stock
16 assessment, we've had the rebuilding plan for
17 ten years where, for all that time, we've had
18 TACs that predicted immediate and overfishing,
19 and recovery. We're now still 7 percent or 8
20 percent below where we were when the
21 rebuilding plan started.

22 Yes, we increased the likelihood

1 of recovery from 50 percent to 75 percent, but
2 it's clear that there's something inherently
3 wrong with the current stock assessment model,
4 and I certainly wouldn't bet my life that it's
5 projections for rebuilding are accurate.

6 And I know that there've been
7 rumblings around the room about increasing the
8 incidental--or decreasing the incidental catch
9 requirement and allowing greater retention of
10 bluefin in the longline fishery, but given
11 what we know about the populations, and how
12 they new information about how many Eastern
13 fish we have in our fishery, just shows how
14 many fewer Western fish we have, and it just
15 seems like a very bad time to be increasing
16 effort in the longline fishery which is
17 supposed to be a bycatch fishery rather than
18 a directed fishery.

19 And the longline fishery also
20 catches the larger fish, which you would
21 anticipate would be a greater percentage of
22 Western fish.

1 So I just wanted to comment on
2 that. Thanks. Oh. One last thing.

3 I just wanted to support what
4 others have said around the room about not
5 exercising our right for the 15 percent
6 transfer, since Canada and Mexico would both
7 be fishing mostly our western population.
8 Thanks.

9 MR. ANNINOS: Thank you, Shana.
10 Pat, Rich and then Ralph.

11 MR. AUGUSTINE: Thank you, Paul.
12 In regard to the north-south line, and the
13 retention limit, I agree fully with Tom, and
14 also with Dick. I think the big problem is
15 that we're dealing with this economic stress
16 that we're under, plus the quotas haven't been
17 caught. I also agree that the school quota
18 should be probably reduced, and I'm going to
19 take a guess, by 50 percent, transferred into
20 a large school/small medium.

21 Even recreational vessels that go
22 offshore to fish for these animals,

1 particularly along our area which is Long
2 Island shoreland toward Block Island. We're
3 running 40 to 60 miles offshore. You aren't
4 going to get charters, typically, and/or
5 recreational folks to spend that kind of
6 energy, effort and money from an economic base
7 to do those trips.

8 So I would agree, one at 27 to 47,
9 one 47 to 73. My concern was the dates,
10 Sarah. You suggested, or asked interested and
11 comment of potential date ranges for the last
12 alternative, and that would be the one, 27-47,
13 and for certain dates.

14 Would we select that or would you
15 select it based on catch rate information of
16 previous years?

17 MS. McLAUGHLIN: Are you asking
18 if--

19 MR. AUGUSTINE: I'm sorry?

20 MS. McLAUGHLIN: I'm not sure I
21 understand your question. We're looking for
22 specific input, but yes, we would have to take

1 a look at catch rates from those periods, and
2 previous years.

3 MR. AUGUSTINE: Right. Now one
4 final one. I surely would like to support a
5 change in the angling category north-south
6 line. It originally had been 57 or fifty--
7 whatever that number is--and 39 to the north.
8 Take a hard look at that, to see what the
9 catch rate has been, and I do believe the fish
10 have shifted further north, and there's been
11 a tremendous amount of fish caught up in the
12 Gulf of Maine, off of that northern part.
13 Thank you.

14 MR. ANNINOS: Thanks, Pat.
15 Rich, Ralph, Rom, Steve, Vince and
16 then Glen.

17 Rich, go ahead.

18 MR. RUAIS: Yes; thank you.

19 Respectfully, Margo, I'm going to
20 have to suggest that we need to do something
21 about this format. All of these reports have
22 been, of course, really important, all day

1 long here. They're critical. But it leaves
2 us with a half an hour for whatever it is now
3 to deal with what I think are a couple of
4 emergencies.

5 One is we've caught 24 percent of
6 our bluefin quota last year, commercially. If
7 you add in the recreational catch, maybe 50
8 percent. We've caught 52 percent of our
9 swordfish quota and over the next two years,
10 we're going to lose our quota share if we
11 don't increase our catch, dramatically, over
12 the next two years.

13 There's nothing in this document,
14 and what we're talking about thus far is just
15 fiddling to stay within these quotas and this
16 framework, which guarantees that we're going
17 to end up the same place at the end of this
18 year and at the end of 2010, at about 50
19 percent of our available catch, which means
20 swordfish is gone and bluefin tuna is done.

21 And that's one of the crises we
22 face. The second crisis, if you listen to the

1 president, is, you know, the overall economy,
2 we've lost, what? 3.5 million jobs, it's
3 increasing, and we're about to give away some
4 additional economy to some other countries
5 that isn't going to help us at all.

6 Some of us have come to this
7 meeting, have spoken about this meeting, have
8 looked to this meeting as very important, and
9 we planned to come here and try to put some
10 concrete proposals on the floor, that can help
11 us, whether it's using emergency action,
12 whether it's using exempted experimental
13 fishery programs, whatever it is that can help
14 improve the total bottom line catches, both in
15 2009 and 2010, to try to keep the United
16 States as a major player.

17 Everybody seems to get the
18 picture, that if we lose the quota, it's going
19 to be caught in less ecosystem-friendly
20 fisheries, and yet this document's not going
21 to do it. And I don't know where to begin.
22 I'm frustrated. I don't know where to begin.

1 On behalf of the pelagic longline
2 fleet, we have a specific proposal. Ernie was
3 starting to brush upon it. But to try to do
4 it justice, the general category has a
5 proposal, the harpoon category's included in
6 it, you know, there are things that we can do
7 to be significantly increasing our catch,
8 which is what we need to do--and I
9 respectfully disagree with those who want to
10 just keep things status quo and leave the fish
11 in the water, because that means you're not
12 doing some--you think you might be doing
13 something for the resource but I don't think
14 you're accomplishing what you want.

15 You're just transferring that
16 quota to countries that are not going to be
17 quite as friendly to the resource as we are.

18 So I don't know how we get there,
19 but, you know, we've got specific proposals in
20 terms of increasing the incidental catch rate
21 to reduce the discard levels that more truly
22 reflect the interaction of pelagic longline

1 gear with bluefin tuna, which also helps
2 revitalize the swordfish fleet, which might
3 get more boats out there fishing swordfish,
4 increasing the swordfish catch, which will
5 help keep the United States in the game.

6 There's a very detailed proposal
7 that I've been involved in as well on the
8 general category side, that Ralph is prepared
9 to talk about, that includes trip fishing, and
10 also possibly some adjustments to minimum
11 sizes that can help us catch more of the quota
12 that's available to us in the size of the fish
13 that's available to us at the same time. But
14 here we are, we're stuck with, what is it?
15 5:30, and we've got--5:45 we're supposed to go
16 into a public comment period, and then we go
17 to sharks, first thing in the morning.

18 So I guess I'm just generally
19 frustrated by that. Where are we going to go?
20 Are we going to try to protect some of this
21 quota? Or are we just going to play the game
22 for two more years and kiss it goodbye? Cause

1 that's where this is going.

2 MS. SCHULZE-HAUGEN: Well, Rich,
3 we're prepared to spend the time tonight. I
4 think we clearly discussed, this meeting was
5 going to focus on bluefin and sharks. I think
6 you see that reflected in the agenda. We
7 talked about the agenda at the beginning of
8 the meeting. We're here. We're here to talk.

9 One of the things that you're
10 talking about, and what some of the comments
11 coming--we're in a position, now, of having a
12 limited amount of time to come into compliance
13 with ICCAT recommendations. That requires
14 rulemaking that we don't have, you know, an
15 FMP amendment amount of time. In talking
16 about some of the changes, changes in target
17 catch requirements, changes in commercial
18 sizes, potentially revisiting the incidental
19 nature of the longline category--all of these
20 things start getting closer to FMP/EIS type
21 actions. We don't have that time.

22 And so this is applying the FMP

1 percentages of the current FMP, going through
2 the math. These FMP percentages, yes, they
3 were established in 1999. I think a lot of
4 you were a part of that process. So it was a
5 long time ago.

6 But, you know, they've been in
7 place for a while. It shouldn't come as any
8 surprise, where these numbers are coming from.

9 MR. RUAIS: I'm sorry. There's no
10 surprise on my part. What I'm suggesting is
11 that we've had an emergency for the last
12 couple years, and I've been saying for the
13 last couple years, that we ought to be looking
14 at every regulations that's on the book, and
15 with an eye towards is it more than what ICCAT
16 requires us to do. And there was time back
17 then and we didn't get to the point of making
18 the necessary changes that would have allowed
19 various stakeholders, user groups in this
20 fishery, from rec to commercial, across the
21 board, to have a, you know, a fairer shot at
22 catching a greater proportion of their quota

1 than we had.

2 And I understand, and I'm not
3 picking on you, or focusing on you. I know
4 the bureaucracy you're up against and I know
5 the rules and the process. But I just think
6 we need to--we, the advisory panel as a whole,
7 I would hope, and with some help from NMFS,
8 you know, need to "make some noise" that--you
9 heard John Graves earlier say we're going to
10 lose swordfish quota in 2009. I believe him.
11 But I don't want to believe him and I don't
12 want to accept it, and I don't want to be here
13 and accept it, and say that's going to happen,
14 and knowing--and knowing that bluefin is
15 following on the heels of that.

16 I really don't want to be a part
17 of that process of watching both fisheries,
18 the U.S. participation in both fisheries go
19 from major player to bit player, and, you
20 know, if it requires, you know, raising hell,
21 you know, raise hell as much as we can and try
22 to get something done.

1 But this is going to end up with
2 50 percent of the U.S. quota being caught in
3 2009, 2010, and just what are we going to do
4 with that in Recí Bay or whatever it is, and
5 wherever the 2010 meeting is going to end up?
6 We're not going to fare very well, and,
7 unfortunately, some of us are going to come
8 home and have to say we've got some bad news
9 for you. You think it's tough now trying to
10 live within these numbers. Wait till you see
11 where you're going to be two years from now
12 when we get gutted. And that's where we're
13 going. We're going to get gutted.

14 MS. SCHULZE-HAUGEN: I guess just
15 one point I would jump in and make is, you
16 know, we're distributing quota according to
17 the FMP category, percentages. The general
18 category was at three fish for the entire
19 year. I don't think those regulations were
20 constraining. People weren't landing them
21 because the fish weren't available.

22 The category that is catching its

1 quota and is being constrained by the FMP
2 percentages at this point is the angling
3 category. The comments to shift quota from
4 school to large school/small medium, sounds
5 like you're accepting that there's not going
6 to be much of a school fishery.

7 If that turns out to be wrong, we
8 have one year to address that. That would
9 mean more restrictive regs in 2010 in order to
10 comply with ICCAT's requirements.

11 We may have some flexibility
12 there. That may be the way we want to go.
13 It's a new suggestion for us. At least for
14 me. So that's the one category that I think
15 you can maybe say that they would be
16 constrained by these regs. The others. Those
17 regulations have not changed. They have not
18 been constraining.

19 So I think there's some different
20 issues.

21 MR. RUAIS: Not to get in a back
22 and forth, and I apologize for trying to

1 dominate, but we don't know whether the three
2 fish general category bag limit was
3 restraining or not. There may very well have
4 been some trips, maybe not a whole heck of a
5 lot, but, for example, the reduction of North
6 Carolina in January of this year from three
7 fish down to two fish, you know, some of us
8 shake our heads and say why are we doing that,
9 with 700 metric tons of quota available,
10 restricting that fishery?

11 What we've had to live under is
12 the seasonal stuff, and the fact that the
13 general category doesn't start until June 1st.
14 The restrictions on the longline fleet clearly
15 could a landed a lot more. Without directive
16 on bluefin tuna we could have landed a lot
17 more bluefin tuna if we had more flexibility
18 in terms of these catch limits.

19 There's two categories that could
20 have provided more fish, you know, more fish
21 to the situation, and I don't know what we
22 could do about the angling category. I know

1 the 10 percent has been restrictive on us in
2 the past, but, you know, I think we've just
3 got to look for some new solutions to catch
4 more quota.

5 MR. ANNINOS: Thank you, Rich.
6 Ralph, Rom and then Steve.

7 MR. PRATT: Thank you. Margo, you
8 mentioned that restrictions that were in place
9 last year really weren't restrictions.

10 Frankly, I wouldn't have come
11 today to propose two different effort
12 controls, if the ICCAT agreement hadn't "put
13 our backs against the wall" and said you're
14 going to transfer our quota if we don't catch
15 it. I think, in general, most commercial
16 fishermen, general category and harpoons,
17 would have been just as happy to roll on and
18 be conservative, and let those fish swim, and
19 we're going to catch them next year. I've
20 been in the fishery for 35 years. I haven't
21 given up on it yet.

22 I've seen it run through many

1 cyclical changes, and I always remain hopeful.
2 But how can you be hopeful when your back is
3 "up against the wall" and you're going to give
4 our quota away.

5 We're not going to be here to
6 catch the fish, just like the swordfishmen
7 can't catch theirs, when the quota's gone to
8 someone else. Thank you.

9 MR. ANNINOS: Rom.

10 MR. WHITAKER: Yes. I totally
11 agree with Ralph. But a couple points that I
12 want to make. The first thing is we did catch
13 22 metric tons in North Carolina in January,
14 at only two fish, which was a restriction, but
15 my point is, is there's no meeting down there,
16 and I do feel like there's plenty of interest
17 in the area. So I would suggest maybe having
18 a meeting in the Morehead City area.

19 The second thing. Yes, it would
20 be nice if I could pass out a menu board at my
21 charter boat in the morning, and you all could
22 check off what you want to catch--yellowfin,

1 bluefin, etcetera, etcetera. But it doesn't
2 work like that. It's Mother Nature and you
3 have to catch what's available.

4 So the perception of being able to
5 catch two fish is something that the customers
6 look at, and they ask you in the morning,
7 pretty much just like Tom, knowing full well
8 that I'm only going to probably catch one
9 fish. But that perception's there and it is
10 a big perception.

11 So I agree with Tom's comment on
12 that. The next thing is I know, according to
13 what you are telling me, is you don't know the
14 recreational quota, exactly what it's going to
15 be until the end of the year. So i guess we
16 really don't know whether we're over or under
17 in the categories.

18 But I will point out that North
19 Carolina and Maryland both have the catch card
20 program, and I think you probably know,
21 weekly, if not at the very worse, monthly, on
22 exactly what we're catching.

1 So you can maybe control the bag
2 limit a little bit. And I know we have a
3 hundred--I think I noticed 180 metric tons in
4 reserve, so I guess that would be used to
5 accommodate some of the overage in landings.

6 And this next point, and Rich
7 pretty well expanded on it pretty good, but
8 it's still hard for me to understand, in the
9 general category, why we have four, five
10 hundred metric tons left over, and we're going
11 to close season right now. I mean, they
12 caught 22 metric tons in January. Probably
13 going to catch that much in February and
14 March, and probably half of April. So that's
15 60, 55-60 metric tons that we could have
16 utilized, I feel like at a bare minimum.

17 I propose that the general
18 category users get together and figure out how
19 we can fix this problem, or at least alleviate
20 it some, and I know we can't do FMP in a short
21 amount of time, but there is a way to at least
22 eliminate the closure date and let them at

1 least catch that 5 percent that's allocated to
2 January, and work on getting it more utilized
3 in the future, rather than if we don't use it,
4 we lose it. And that's what I keep hearing,
5 and I certainly don't want to give it to
6 somebody else to catch. Thank you.

7 MR. ANNINOS: Rom, thank you. I'm
8 going to call on--now it is 5:45. I just
9 talked to the gentleman from the public. He's
10 willing to kind a ease off for a few minutes
11 and let this chain play its course, and then
12 we'll give him a shot at the public comment
13 period in just a few minutes.

14 I've got Steve, Vince--that's
15 Vince Pyle--Chris and Jim on the agenda. I've
16 also got Glen and Dick in for their second
17 round. So I'm going to ask Glen and Dick to
18 hold tight till we can let Steve, Vince, Chris
19 and Jim, who haven't had a chance to speak yet
20 on this, to go ahead and speak.

21 MR. JAMES: Hello. Steve James,
22 Big Game Fishing Club. I want to reiterate

1 and I'll be very brief--27 to 47 I think is a
2 good solution, same as we had last year. 47
3 to 73, likewise, as Tom had mentioned earlier.
4 I think keeping with the 2008 quotas for
5 recreational is a good strategy from a charter
6 boat standpoint.

7 I want to just comment briefly on
8 the general category limits. Considering that
9 we have a historical record of failure on
10 quota, it doesn't seem to me that we should be
11 limiting--and while it may not have come into
12 play very often, a three fish limit anywhere.

13 If the guy's sitting on top of the
14 fish and he can take 12 fish, why shouldn't we
15 applaud that effort? And furthermore, you
16 know, back to guys that are trying to travel
17 offshore, this notion of a three fish limit
18 for the general category, if a guy wants to go
19 park his boat on the Hague Line and he wants
20 to come back home with 20 giants, why
21 shouldn't we applaud that effort, instead of
22 telling him he can only come home with three

1 fish? So that's all I have to say. Thank
2 you.

3 MR. ANNINOS: Thank you, Steve.
4 Vince.

5 MR. PYLE: Vince Pyle. I guess
6 Rich expressed a lot of my frustration. It
7 seems like now the discussion has started and
8 the meeting has to end, or is scheduled to
9 end. If we're going to be up against, which
10 apparently we are, a "bloodbath" of ICCAT and
11 losing our historical quota and participation,
12 I would have hoped that most of the meeting
13 would have been on the topics that I'm now
14 hearing, and subjects that I'm not hearing
15 from participants and members in this last 15
16 minutes.

17 So I'm frustrated that there's
18 been very little time to how we're going to
19 keep our bluefin quota, how we could catch our
20 bluefin quota, and not to mention swordfish,
21 which is going to be a real problem this year
22 with every other country wanting to take it.

1 There is no question in my mind,
2 that if we allow the PLL group to land some of
3 its interaction--and we do have a proposal
4 that I wish we could have had time to present
5 today, and hopefully we'll be able to present
6 it at some point soon. But I am frustrated
7 that we listen to a lot of data, that most of
8 us have been familiar with, and we are in a
9 crisis, that we're going to lose both
10 swordfish and bluefin to countries that don't
11 catch fish nearly as well as we do, and
12 ecologically sound as we do.

13 But, oh, well, let the others
14 speak.

15 MR. ANNINOS: Chris, then Jim,
16 then Glen and Dick.

17 MR. WEINER: Chris Weiner. I was
18 going to reiterate what someone just said
19 about the fact that the offshore limits,
20 that's one I dare you to go--I mean, if you're
21 going to go out to Georges, why would you have
22 to come back in if you get your three fish?

1 I mean, it seems like if we're not
2 catching--you know--we're not catching a lot
3 of the fish. Why don't you let guys go out
4 there, you know, whether it takes putting VM--
5 I mean, I know someone's going to bring up,
6 yes, well, then you need VMS, you need these
7 things, you need that.

8 We could find ways to do it, where
9 guys could go out and catch fish, cause no
10 one's going to steam out to Georges, you know,
11 and hopefully catch--I mean, three fish is
12 great, but if you find them, you don't want to
13 have to steam--and with fuel the way it is,
14 you're going to pretty much--you know, you'll
15 lose a fish or two just on fuel, going out
16 that far.

17 Second of all, I would disagree
18 that there aren't restrictions. I mean, I
19 remember two-three years ago. I hate to know
20 how many guys were lost from the North
21 Carolina fishery by those days out that were
22 put in place, things like that. There's been

1 rules after rules for the last few years,
2 restricting guys.

3 The fact that we closed the
4 fishery before it was even close to being
5 caught--that's ridiculous. And I would just
6 say in general, I mean, I think there's some
7 people in this room that think that you can
8 shut down this part of the U.S. fishery and
9 it's going to help, but think about where that
10 quota's going to go and think about whether
11 you want those countries catching it over our
12 countries, cause I think some people think you
13 cut our fishery half, that's--you know--that
14 many fish left in the water, it's not, and if
15 you look at the size limits in pretty much
16 every other country, they're probably going to
17 catch three or four times as many fish, per
18 ton, that we catch.

19 You know, I mean, look at the size
20 of the fish on the other side. They're
21 babies. You know, they're this big. And our
22 commercial fishery's catching 73-inch fish,

1 and up. You know, another rule--I don't even
2 want to get into it now--but we have rules
3 like you can only catch two between 73 and 81
4 inches, 82 inches.

5 I mean, rules like that stop us
6 from catching our quota. So I mean, I would
7 just think let's try to do what we can to save
8 these fisheries.

9 MR. ANNINOS: Thanks, Chris.

10 Jim.

11 MR. BUDI: Yes; thank you. I'm
12 filling in for Dewey, and I called Dewey before
13 I came here, and I said Dewey, what can I
14 expect? He said disappointment. He said
15 nothing gets done. Well, I came here, and I
16 told the guys that are waiting for me at the
17 boat, who I haven't paid, they just came in
18 off a 28 day trip, they were saying, Jim,
19 where are you? I said I'm in Washington,
20 because I came here to figure out and help get
21 those fish that we keep throwing back in the
22 water, our dead discards, our dead bluefin

1 discards.

2 Right now, they're being counted
3 against our quota, and yet I'm here today
4 being told that, if I understand it, that
5 we're going to continue to throw those fish
6 into the ocean, and those fish are giants, or
7 large mediums, and they're going to count
8 against our quota, and while this longline
9 industry goes bankrupt, we're going to just
10 allow those fish to sink to the bottom of the
11 ocean. I mean, it's going to be a little
12 frustrating, to walk away from here, and not
13 think that we could a changed something on
14 this method if discarding, that has one fish
15 for 2000 pounds, another fish for 6000 pounds
16 of catch on board. Then it jumps up to 30,000
17 pounds.

18 Our distant longline boats are at
19 a severe disadvantage here, because from 6000
20 to 30,000 pounds, we're just allowed one
21 bluefin tunas, and the rest of those bluefin
22 tunas are at the bottom of the ocean.

1 So without even getting into the
2 discussion, which I thought would start in the
3 beginning of the day, of how longliners could
4 "save the day" by catching quota that's not
5 being caught, and it'll be lost to other
6 nations that will catch it with longline
7 vessels, which is the irony of the whole
8 charter arrangement that hopefully will be
9 shot down. But the fish that we're not
10 allowed to catch in this country will go to
11 another country that'll catch them with
12 longline boats.

13 So just following up on the
14 previous notes of frustration, there it is.
15 Not even asking for an increase for pelagic
16 longliners but just to keep the fish we're
17 putting in the bottom of the ocean, and then
18 having them count against our quota, seems to
19 be not asking for much; you know.

20 But anyways, that's me.

21 MR. ANNINOS: Thanks, Jim.

22 Okay. Go ahead, Glen, and then

1 Dick and then Tom, and I think that's it.

2 MR. DELANEY: Thank you. Further
3 to the point that Jim respectfully disagrees
4 with Shana. You know, we've left 50 percent
5 of the bluefin in the water, the last two to
6 three years, so it's hard to imagine that
7 converting dead discards to dead landings has
8 any conservation impact. You know, it's just
9 converting dead fish at the bottom of the
10 ocean to dead fish on the dock.

11 But there's another dimension to
12 this that I think is really important that we
13 talked a little bit about previously, Margo,
14 and I'll stress it again.

15 You know, we're thinking about
16 what would probably be viewed as pretty
17 relatively modest tweaks, if you will, to the
18 current schedule of incidental take limits for
19 the pelagic longline fishery, and, you know,
20 kind a shifting it a little bit.

21 In some ways that I think should
22 be viewed as making it less likely to have the

1 threat of a directed fishery, but yet
2 substantially change the economics of any
3 given fishing trip.

4 You know, if you just add one or
5 two bluefin tuna to a trip, depending on the
6 size of the boat, length of the trip, you
7 know, adding 10- or \$20,000 to the gross on a
8 trip can "make or break" a trip. It also is
9 going to be fundamental to the owner to
10 decide--well, am I going to send the boat or
11 not? Am I going to keep it at the dock? Are
12 there enough fish at this time of the year, in
13 the waters that I fish in, to commit the fuel
14 and the cost and the grub and the crew, and
15 "go for it," take a chance? Or not? That's
16 a decision that an owner makes every trip.

17 And if he knows, in his head, but
18 I'm going to add \$20,000 to my stock, you
19 know, he's going to be incentivized to go out.

20 So if I'm wrong and there's no
21 increase in fishing effort, then all we're
22 doing is converting dead fish to dead fish,

1 just leaving them in different places. It's
2 a one-for-one conversion.

3 If it does add effort--and I hope
4 it does, cause that's the point--is that we're
5 going to catch more bluefin tuna and we're
6 going to catch more swordfish. And I think
7 that's what we're trying to accomplish here.

8 I don't think that the industry's
9 thoughts about this, or any measure can be
10 interpreted as a move toward trying to have a
11 directed pelagic longline bluefin tuna
12 fishery, although I still think that's an open
13 and valid question to revisit some day, and I
14 certainly appreciate that would take a lot of
15 discussion, and FMP amendment, and all that.

16 But the truth is, you know, this
17 group did recommend, back in September,
18 changing the incidental take limits, and I
19 don't think that, on its own, would require an
20 FMP amendment.

21 You know, you guys are the experts
22 on that, but it seems to me we've done it

1 before. Maybe we did do it through an
2 amendment process. But I'd ask you two
3 things. Is to one, consider whether something
4 like that, a modest revision of the schedule
5 of trip limits, or incidental catch limits for
6 bluefin in the pelagic longline fishery, could
7 be done in something less than an FMP
8 amendment.

9 And then also, I'd ask you to look
10 at some numbers that we'll suggest to you, and
11 ask your folks to just simply analyze what the
12 predicted effect would be in terms of
13 converting dead discards to landings, and what
14 it might mean in terms of our 90 tons that
15 we're throwing overboard, which is millions of
16 dollars, I'm sure, and converting that to
17 landings, without necessarily a mortality
18 implication there.

19 And I think you can do that based
20 on the datasets that you do have. The
21 database. You can kind a predict, if you
22 altered--you had to do it for the last time we

1 modified the incidental take statements, or
2 take limits. So I assume you can do it again
3 and kind of predict and project what would be
4 the effect on the 90 tons.

5 And then just to the point of
6 that, we all know there's a Magnuson Act
7 mandate to reduce waste. I mean, that's just
8 throwing fish overboard at a time when the
9 fishery needs the economic boost, and number
10 two, we, as a nation, need to catch more of
11 these fish.

12 So I guess I'm asking again: take
13 a look at some numbers and analyze them, and
14 let's discuss what the implications are, and
15 if we need to tweak it further to take care of
16 any concerns, no problem, and second, really
17 think hard about what can be done without an
18 FMP amendment on this issue, cause that would
19 make a substantial change, I think, in the
20 pelagic longline fishery. Thank you.

21 MR. ANNINOS: Glen, thanks.

22 Dick.

1 MR. STONE: Yes. I'll have to
2 start by agreeing with what Glen just said
3 about dead discards. I think it would be
4 useful to take a look at that. Certainly,
5 dead discards and no conservation measure.

6 The other thing I wanted to pick
7 up on was something you said, Margo. You
8 worried me a little bit when you picked up on
9 the moving fish from the school category to
10 the large school/small medium. I don't think
11 there's any need to do that. Unless things
12 change dramatically, you have plenty of quota
13 to cover any overage you might have in the
14 large school/small medium, with the lack of
15 what we've been taking in the other quotas.

16 Now, to that point too, you don't
17 have to wait till the end of the year to know
18 what's happening in the fishery. Back when I
19 was in your job, I remember having to manage
20 sharks on a weekly basis, and I made a few
21 phone calls, had my staff make a few phone
22 calls, and you can find out, really, what's

1 going on in the fishery.

2 Or you could have Ron make a few
3 phone calls; if Ron's still here. But he left
4 already. But there you go. I mean, there are
5 ways to get at least a picture of what's
6 happening in the fishery. If you see
7 something dramatic happening, then you can
8 make some adjustments in the bag limits. But
9 please--let's at least start off with
10 thinking, you know, one, 27 to 47, and one
11 less than 73, again, getting to that economic
12 impact. And if you see problems arising in
13 the fishery--you know, there are ways to do
14 that--then you can make adjustments.

15 MS. SCHULZE-HAUGEN: So Dick, can
16 I just clarify. You're talking about
17 reallocation of quota from other categories to
18 the angling category?

19 MR. STONE: Well, not really.
20 What I'm saying is that yes, the school
21 category obviously is set. You have to stay
22 within the 10 percent. But you do have two

1 years. So, okay, if you went over the first
2 year, you can cut back on the second year.

3 But in the large school/small
4 medium category, where you have gone over the
5 last few years, so what? I mean, on the
6 books, in terms--what ICCAT considers--we
7 haven't gone over anything. In other words,
8 you've got a total quota, and we strive to
9 stay within that total quota. But if we're
10 not taking it in some areas, then certainly
11 that can be applied, and you have a reserve
12 too, that you can use.

13 So what I'm saying, until you see
14 that it's really going to become a problem,
15 let's not worry about it. I mean, let's go
16 with something that conceivably can work and
17 keep the charter industry going, and monitor
18 what's going on in the fishery on a more
19 realtime basis. If you see that there is
20 going to be, maybe a significant overage, then
21 you can shut it down.

22 But it hasn't been a problem. I

1 mean, hasn't been a problem in recent years at
2 least. So why make it a problem until it
3 becomes a problem. And you can tell if it's
4 going to become a problem before it really
5 happens.

6 MR. ANNINOS: Dick, thanks.

7 Tom, you were last up on the list.

8 MR. DEBERSIA: I want to address,
9 once again, the statement, "Catch it or lose
10 it." And that's what's going to happen here.
11 There's been several good ideas here as to how
12 we can try to catch these fish that we're not
13 catching now. I know Ralph has some
14 suggestions here. I've got a suggestion as
15 far as the charter boat, head boat category.

16 Is there a time we can do that
17 within the next day? Or you know, while we're
18 still here at the meeting? Is there a way to
19 squeeze a half-hour in to bring up these
20 ideas, or is that out of the question right
21 now? My idea is, in the charter boat/head
22 boat category, the first fish you catch kind

1 a identifies what category you're in.

2 Why do we have to do that? Why
3 can't a charter boat go out there and perhaps
4 catch a school of fish and then target giants?

5 You know, once again, this is
6 adding more fish to our quota that we're going
7 to lose if we don't catch. Why should he have
8 a restriction? You say we're not being
9 restricted. We are being restricted. There's
10 no reason why he shouldn't be able to go out
11 there and catch maybe three fish, a couple a
12 schools and one giant, or two giants and a
13 school fish for the day.

14 Is there any reason why he
15 shouldn't be able to catch three fish? You
16 can catch three giants. Why can't you catch
17 two giants and a school the same day? And
18 once again, that's going to add on to the fish
19 we're catching and get us a little closer to
20 catching our quota.

21 So there are little ideas here.
22 Some of the longliners are bringing up ideas

1 that are going to help. We need to look at
2 these. These are really important. Maybe
3 there's something in the agenda, in the next
4 day, that we can spend less time on and maybe
5 get a couple of these ideas out on the table.

6 MS. SCHULZE-HAUGEN: Paul, how
7 many folks are left on the list? That's it?

8 (Off-mic comment.)

9 MS. SCHULZE-HAUGEN: Okay. Well,
10 what I would tell you is maybe while we've got
11 a minute here to listen to the member of the
12 public, look at the agenda. There's some
13 things that we do need to cover as to the
14 panel, there's some flexibility there, and so
15 when we're, maybe listened to this person,
16 then we'll come back and talk about it.

17 MR. STEVE WEINER: Hi. My name is
18 Steve Weiner, and I guess I'm affiliated with
19 East Coast Tuna, CHOIR Coalition, just New
20 England fishermen, harpooners. I've been
21 bluefin fishing for a lot more years than I
22 want to admit, and I've been coming to

1 meetings like this for almost as long as the
2 years that I've been fishing. In some ways,
3 it's good to be back; in other ways, I wish I
4 hadn't walked through the door today. Haven't
5 been doing this for a while.

6 But what I'm frustrated by is that
7 the only conservation I've seen for bluefin
8 tuna, in my lifetime, has been us, U.S.
9 fishermen, and I've got a feeling the sword
10 fishermen in this room would say the same
11 thing.

12 So here we are, through the years
13 conserving, whatever the interests were in
14 this country, whether it's governmental,
15 environmental conservation, it's basically
16 been we can't get anyone else to conserve so
17 let's get our guys to conserve.

18 So we've been conserving and we've
19 been conserving, and to skip around a little
20 bit, it's frustrating to me that there are
21 still people in this room who want to "beat
22 up" on U.S. fishermen even more, when we all

1 know, at least in the case of bluefin tuna,
2 unless you do something in the East, debate
3 mixing, you can debate all the issues--but we
4 all know that a lot of the problems that we
5 have here with the West are really based in
6 the East.

7 So on top of that, I come here
8 today and I hear people saying, well, we have
9 a fragile fishery resource in bluefin tuna.
10 I guess it's not that way in swordfish but it
11 is in bluefin tuna. Therefore, we really
12 shouldn't be encouraging any more catch.

13 But if you really think that out,
14 what you're really going to do is take the
15 fish from the guys that have been conserving,
16 and you're going to hand those fish to
17 countries, in many cases, who haven't been
18 conserving. So you, in the conservation
19 arena, are going to lose total control, in my
20 opinion, of what happens and how those fish
21 are caught, whether it's swordfish or whether
22 it's bluefin tuna.

1 And I will only tell you that in
2 New England, one of the problems is that
3 effort for bluefin tuna has just fallen right
4 off the face of the world. There's borage
5 issues, the dogfish have infested the whole
6 Northeast. Can't even put a hook in the
7 water. And fuel last year was almost five
8 dollars a gallon. So there's no--and prices
9 have fallen, is sort of a fourth issue. So
10 there's no effort, there's no way you could
11 catch the--even if the fish were there, which
12 they may be there, cause I think there's more
13 of them than most people do, you couldn't
14 catch them anyways.

15 So what I would--I've felt
16 abandoned by our Government since the day I
17 started with this thing. It's either been
18 they've been making arguments to put all the
19 conservation effort on U.S. fishermen and make
20 us pay the whole price, and on top of it--and
21 I beg to differ with you, Margo, and it hasn't
22 been you all the way--there has always been

1 restrictions. There has always been a
2 philosophy within the Agency. We that have
3 been doing this have seen it forever. "Don't
4 let these guys catch the fish."

5 It's been done in many different
6 ways, over many different years. I mean, I
7 kind of agree with you. If it was five fish
8 a day, maybe we wouldn't a caught anymore.
9 But I've lived this for 40 years, and I'm
10 telling you, our Government hasn't well-
11 represented us at ICCAT and our Government
12 hasn't allowed us to catch the fish.

13 I could go on here forever, but I
14 appreciate you giving me this time. Thank
15 you.

16 MS. SCHULZE-HAUGEN: Thank you.

17 Ken, was that a hand, or a
18 stretch?

19 MR. ANNINOS: I think it was a hand.

20 (Tape 7 begins.)

21 MR. HENMAN: [in progress] make a
22 suggestion, because I think people have

1 brought up a lot of legitimate concerns. I
2 came to this meeting, I don't really get that
3 into a lot of the specification stuff, at
4 least what I saw was being proposed, it really
5 didn't seem like something I really needed to
6 get involved in.

7 But I think if we're going to
8 start thinking a little bit outside the box
9 you've presented here, as people are
10 suggesting, starting to throw in some new
11 ideas and to increase our catch, I think it
12 becomes a very important matter.

13 I would like to give it some more
14 thought on things I would like to recommend as
15 well as on what I've heard here in the last
16 hour, and I think tomorrow--nothing again
17 yellowfin tuna but I don't know that anything
18 is really pressing or imminent on that, and if
19 you could squeeze in an hour to continue this
20 discussion for the benefit of everybody who
21 wants to continue to do that, I would be all
22 for that.

1 MR. ANNINOS: Thanks, Ken.

2 MS. SCHULZE-HAUGEN: The only
3 thing I would say is there were some very
4 specific requests for yellowfin. I think that
5 was something that we had thought might be
6 movable. I guess I would be interested to
7 hear Rom. You were one of the ones that was
8 very interested to get a presentation on
9 yellowfin.

10 MR. WHITAKER: Well, I beg to
11 differ on the yellowfins. I think we've got
12 a serious problem, very serious, and it needs
13 to be discussed. If we want to take some time
14 off, then that's fine, but, you know, it's a
15 serious problem for yellowfin.

16 MR. ANNINOS: Thanks, Rom.
17 Thanks, Ken. Go ahead, Vince.

18 MR. PYLE: My suggestion is--the
19 room's pretty much half empty now. Why don't
20 we start the day continuing this? Why
21 couldn't we start out by talking about what
22 we've been talking about the last 40 minutes?

1 MS. SCHULZE-HAUGEN: We're under
2 the mandatory timeline with the Small Coastal
3 Amendments, and so we need to talk about small
4 coastals, the amendment three. We tried to
5 schedule the agenda. We're here, we're ready
6 to talk right now. I understand people might
7 want to think about it a little bit more, and
8 that's fine. But we can't not talk about
9 small coastal. I think we run the risk of
10 doing that. So we had structured the agenda,
11 trying to give time on the first day, knowing
12 we might go long, but wanted to start and
13 close out amendment three, predraft.

14 So I would actually not support
15 that. We do need to get to that. We have a
16 couple presentations. We have breakout
17 sessions. They might not need the full time.
18 We could do a working lunch. We can maybe do
19 an abbreviated yellowfin presentation.

20 I don't know that--the enforcement
21 folks are here, to know whether they would be
22 willing to give up their time. We could check

1 on that tonight.

2 MR. : Well, if amendment three
3 is that important to you to start the day, why
4 wouldn't we--couldn't we just follow it right
5 after amendment three?

6 MS. SCHULZE-HAUGEN: Right after
7 lunch, we have the--

8 MR. : Right after your first
9 item, agenda, your shark amendment three. You
10 say we couldn't move that one from the
11 beginning of the day. So could we not just
12 follow it up with this discussion?

13 MS. SCHULZE-HAUGEN: I guess what
14 I was saying is the amendment three
15 discussion, we have two presentations relative
16 to that, and then we were going to break into
17 sessions for folks to think about
18 alternatives.

19 Before we get to the proposed rule
20 stage, where we actually have set the scope,
21 have a preferred alternative, and this is the
22 point for your input on what direction we go.

1 It may not take the full time. We can come
2 back to bluefin after that. We do have the
3 Southeast Fishery Science Center analysis on
4 the current effectiveness of bycatch reduction
5 measures, circle hooks, and bait combinations,
6 which might be of interest as we look to
7 revising regulations.

8 And I don't think we try and
9 schedule the agenda in a way that short-
10 circuits discussion. I think we--you know,
11 there's a lot of issues here. But we are
12 flexible. We can try and squeeze things in.
13 I think the most flexible ones would be the
14 enforcement updates and the yellowfin
15 presentation. We're happy to move those
16 around.

17 (Off-mic comment.)

18 MS. SCHULZE-HAUGEN: We could do
19 that. The enforcement updates are something
20 that we've gotten positive responses on.
21 People like to hear them. It's more for your
22 information than something that we're required

1 to do.

2 MR. : Yes. I actually--Ken
3 first mentioned yellowfin tuna postponement.
4 That's the one I was going to suggest, knowing
5 that'd be breaking Mark's heart, that he
6 wouldn't be able to talk about yellowfin tuna,
7 but that's--but anyways. Under sort of, you
8 know, the "business as usual" scenario, which
9 is what we're really looking at in terms of
10 how do we actually do things? I mean, I guess
11 I'm thinking that there are three things that
12 are possible. One is trip fishing, which has
13 been talked about a bit, and there is a
14 specific proposal that Ralph is prepared to
15 make on that.

16 On the pelagic longline fishery,
17 as Glen just mentioned, and I mentioned
18 earlier, we're prepared to make a specific
19 proposal for that, and Dick Stone is
20 suggesting that, you know, maybe some added
21 small medium fishery. And you don't really
22 have to--I mean, look at the quota. I mean,

1 in the reserve alone you have almost 200
2 metric tons available, and then there's 1400
3 tons that--you know--total, 1400 and some odd
4 tons, 1437 tons. So it's not like there's a
5 struggle to find a quota to take advantage of
6 these things. The question is what vehicles
7 do you have available to you, you know, to get
8 something done? I mean, what are we talking
9 about?

10 You know, that's one of the
11 reasons why I asked the question earlier
12 about, you know, the bag limits. What
13 flexibility do you have in terms of general
14 category bag limits? And if the three fish is
15 there, then you're looking, okay, so we can't
16 wait for a regulatory amendment for a fishery
17 that starts on June 1. You're probably
18 looking more at an exempt and experimental
19 fishery permit, maybe. If there were
20 agreement even to go forward, you'd be looking
21 for an experimental fishery permit for that.

22 The pelagic longline fisher, the

1 same thing. If you were going to increase the
2 retention limits while you're doing the
3 analysis that Glen was suggesting, of looking
4 at, you know, past discard data, and how much
5 this might actually eliminate discards and
6 result in actual landings of fish, look at the
7 numbers that we had to suggest in that, would
8 you need an experimental--could we use an
9 experimental fishery and could we get one up
10 and going in time where it would produce the
11 benefit that we think it would have?

12 The angling category is probably
13 the easiest one to have it, and doesn't
14 require, I don't think, any action. I mean,
15 you have the authority for in-season transfers
16 to do that, not that I want to be making the
17 case for Dick right now. He can do that
18 perfectly well on his own. But in terms of
19 adding catch in that category. It fits with
20 what Tom DePersia was talking about as well.

21 I mean, we would need guidance
22 from you, and lawyers, probably. Do we have

1 any possibility with regulatory amendments and
2 experimental fisheries, to make any of these
3 changes for the 2009 and 2010 fishing year?
4 Otherwise, I mean we're talking for the long
5 term, you're talking for the long term, not
6 looking to solve the emergency problem that
7 some of us see of we're going to lose quota
8 over the next couple of years.

9 So at that point it doesn't matter
10 whether you talk about it tomorrow or the next
11 day meeting. If we resign ourselves to the
12 fact that the quota's going to be lost, then
13 it doesn't matter when you talk about it.

14 MS. SCHULZE-HAUGEN: Well, I'm
15 hearing the interest to talk some more at this
16 meeting. So I'm looking to do that. Folks
17 seem to be winding down tonight, and that's
18 fine. So let's come back, we do need to talk
19 about amendment three. So I'm going to hold
20 firm on that one. But after that, I think we
21 can "play it by ear" some. We'll check with
22 the enforcement folks. Maybe they could be

1 here for part of the meeting. Folks have
2 particular issues they want to discuss.

3 And we have offline sidebars, and
4 we'll try and find the time as we go tomorrow.

5 Rom.

6 MR. WHITAKER: Well, we could all
7 probably use a 30 minute lunch instead of a
8 hour and 15 minutes.

9 MS. SCHULZE-HAUGEN: Well, I tell
10 you, it's hard to get you all back. So, you
11 know, we can get started, and if there's one
12 person in the room, we can talk to them and
13 just--but it can be difficult to get your
14 lunch and come back. But that is true.
15 There's time there.

16 Well, so let's take that approach.
17 We'll see you bright and early. We will start
18 at 8:30 and then we will hopefully conclude
19 earlier. And so have a good night and we'll
20 see you tomorrow. Thank you very much.

21 (Whereupon, the meeting was adjourned
22 for the day.)

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