

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NATIONAL MARINE FISHERIES SERVICE

JOINT MEETING: BILLFISH
AND HMS ADVISORY PANELS

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NOAA SCIENCE CENTER
1301 East-West Highway
Silver Spring, Maryland

TAPE TRANSCRIPTION

PARTICIPANTS:

Billfish Advisory Panel:

Jerry Abrams

Nelson Beideman

Raymond Bogan

George Bell

David Borden

Karyl Brewster-Geisz

Craig Brown

George Burgess

Sally Campen

Jose Campos

Maumus Claverie

John Dean

Jack Devneu

James Donofrio

Bob Eakes

Robert Fitzpatrick

Sonja Fordham

Jim Francesconi

Spencer Garrett

Marsha Hass

Bob Hayes

Roger Hillhouse

John Hoey

Russell Hudson

Bob Hueter

Rachel Husted

Joe Jancewicz

Pete Jensen

Gail Johnson

Mike Justen

Andrew Kemmerer

Joe Kimmel

Sari Kiraly

Rob Kramer

Liz Lauck

Rebecca Lent

Linda Lucas

Pamela Mace

Gary Matlock

Joe McBride

Mariam McCall

Charlie Moore

Mark Murray-Brown

Russell Nelson

Andy Oliver

Billfish Advisory Panel: (con'd)

Ellen Peel

Ellen Pikitch

Joe Powers

Tom Putnam

Vince Pyle

Paul Raymond

Rick Ross

Rich Ruais

Mark Sampson

Margo Schulze

Jerry Scott

Bob Spaeth

Jill Stevenson

Richard Stone

Mike Travis

Steve Turner

Alan Weiss

Peter Weiss

David Wilmot

John Wingard

Bob Zales

Highly Migratory Species Advisory Panel:

Nelson Beideman

Raymond Bogan

David Borden

Jose Abella

Maumus Claverie

Tristram Colket

John Dean

James Donofrio

Bob Eakes

Robert Fitzpatrick

Sonja Fordham

Jim Francesconi

John Graves

Marsha Hass

Robert Hueter

Ed Irby

Pete Jensen

Gail Johnson

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Joe McBride

Highly Migratory Species Advisory Panel: (con'd)

Charlie Moore

Ellen Peel

Richard Ruais

Carl Safina

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P R O C E E D I N G S

MS. LENT: All right. Let's get started. Good afternoon, and welcome to the first Advisory Panel meeting of the new millennium. It is nice to see a lot of familiar faces. I can tell that you are happy to see each other, because you just will not stop talking. And it is great to see that Bob and Bob have a lot of catching up to do.

Gary Matlock will be joining us from time to time during this meeting. He will not be able to be here the whole time. I believe that Bruce Moorhead, our deputy office director, will be here as well. And Andy Rosenberg will be coming by tomorrow morning around 9:00 as well to talk to you. He is our deputy AA.

Let me just cover a couple of housekeeping items. Let's start with introductions, because we do have some new people and some new faces. And I will start with me, Rebecca Lent. I am the chief of the Highly Migratory Species Management Division here in Silver Spring.

And I will go to my left. We will do the table first, and then we will do the rest of the room. Jim. Please turn on your mike.

MR. DONOFRIO: Jim Donofrio, executive director of the Recreational Fishing Alliance.

MR. RUAIS: Rich Ruais with the East Coast Tuna Association.

MR. BLANKENSHIP: Randy Blankenship, Texas Parks and Wildlife Department.

MR. HUETER: Bob Hueter. I am a scientist at Mote Marine Laboratory.

MS. FORDHAM: Sonja Fordham, Center for Marine Conservation.

MR. BEIDEMAN: Nelson Beideman, executive director of the Bluewater Fisherman's Association.

MS. JOHNSON: Gail Johnson, Fishing Vessels Seneca.

MR. BERKLEY: Steve Berkley, Oregon State University.

MR. NELSON: Russell Nelson, director of Marine Fisheries, Florida Fish and Wildlife Conservation Commission, here representing the South Atlantic Council.

DR. CLAVERIE: Mau Claverie, Gulf Council.

MR. FITZPATRICK: Robert Fitzpatrick, former Advisory Panel member.

MR. WHITAKER: Ron Whitaker, Hatteras Charter Boat Captains in North Carolina.

MS. NIX: Kim Nix from Kena, Texas, commercial.

MR. HUDSON: Rusty Hudson, Directed Charter, Florida.

MR. SPAETH: Bob Spaeth, Southern Offshore Fishing Association, Florida.

MR. ALRICH: Glen Alrich, South Carolina Department of Natural Resources.

MR. FRANCESCONI: Jim Francesoni, North Carolina Division of Marine Fisheries.

MR. WALTON: Frank Walton, New England Fisheries Management Council.

MR. ABELLA: Jose Abella, Caribbean Fishery Management Council.

MS. LUCAS: Linda Lucas, Eckerd College, economics department.

MR. GRAVES: John Graves, College of William and Mary, here representing the U.S. ICCAT Advisory Committee.

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

MS. MCCALL: Mariam McCall with the NOAA Office of General Counsel for Fisheries.

MS. LENT: And we will just do our staff here along the wall. Jerane Stenard from our support staff. Buck Sutter from St. Pete. Jill Stevenson here in Silver Spring. Steve Meyers, Silver Spring. And Chris Rogers. And Sari, why don't you go ahead and start the introductions back there.

A PARTICIPANT: (Inaudible.)

MS. LENT: We have Margo Schultz at the registration table, and a few other folks coming in. All right. Thank you very much, and welcome. And my battery is

fully charged. That is good news.

All right. Just a quick reminder in case you do not have your Magnuson-Stevens Act right at hand. Just a reminder that the purpose of the Advisory Panels is to assist us in the collection and evaluation of information that we would use to prepare the fishery management plans or fishery management plan amendments.

(End side A, tape 1.)

MS. LENT: And as we met regularly, now that we have launched this plan, and now that we are starting to do amendments, we will be discussing with you issues on fishery. We will be asking you how you think we ought to address these issues, whether or not regulations are needed, and whether or not those would need to be done in a FMP framework, or with an FMP amendment. So that is part of your role in advising us. And just a reminder that the decisions or recommendations that are made in these panels are advisory in nature.

Steve, I need to move down one page here. We have a brand new machine here, and we are pretty proud of it.

We have standard operating procedures that I believe you were all sent a copy of those again last week. Per the Magnuson-Stevens Act, the panels are to be balanced in their representation of the various user groups. We are having here today again a joint meeting of the Billfish and HMS Advisory Panels. You have two year appointments. For the HMS AP, it was decided, and we may decide to change this, but we wanted to stagger the reappointment, so that there would be some institutional memory as we came up with the new membership.

We may want to rethink that. If it turns out that a lot of people, because of their position as heads of organizations or whatever, stay on the panel or are again on the panels, so there is not really a lot of big change. And there was a lot of confusion and some accidental letters sent out relative to the staggered appointments. So I am not sure that is the best way to go. If you have some comments on that, we would be glad to hear about it.

We do vote on the billfish AP, but we work towards a consensus if we can on the HMS AP. Also, I just want to remind you that all of the meetings are recorded. So please make sure that you state your name before you speak. Yes, Nelson.

MR. BEIDEMAN: (Inaudible.)

MS. LENT: Just give your name and speak into the mike.

MR. BEIDEMAN: Nelson Beideman, Blue Water Fisherman's Association.

Do you want comments as we go on the procedures?

MS. LENT: Why don't you go ahead, if you have got something quick.

MR. BEIDEMAN: Once again, for the record, when we have joint meetings, it creates unbelievable imbalance of representation. Basically, you know, the councils come in with two people, and the states come in with two people. The very unbalanced Billfish Advisory Panel, all of the recreational representations are now in discussions. It creates a tremendous imbalance. And I would think that for no other than legal purposes that joint meetings would be kept to a minimum.

MS. LENT: Thank you, Nelson.

Are there any other comments relative to the appointments and the composition?

(No response.)

MS. LENT: All right. Just a little bit of housekeeping relative to travel logistics. We set deadlines, which we really need you to help us respect if you can. Pat Wilbert provides a lot of specific instructions relative to arrangements for your tickets, and your hotel, and all of that. I know it is tiresome to have to follow all of those steps, but it sure makes our job a little easier.

We do need to get your receipts and your vouchers by March 1st in order to process them. After this trip, we are in a bit of a budget crunch. I do not want to threaten anybody, but it would be good to get all of this travel paperwork taken care of before we run out of travel funds. And Pat Wilbert will be here tomorrow. We will point her out if you have any specific questions, and she may have some things for you to sign ahead of time.

Are there any concerns? Most people are at the Holiday Inn. Is everything okay there? Linda, you need a room. We will reserve the submersible for you. There is a bed in there. Okay.

Mailings and handouts. Well, we got our SAFE Report finished, and had a big stack of 80 copies ready to mail, and then the snowstorm struck. So we were about two to three days behind in getting those out. We did get them to you at the end of a couple of weeks ago. You should have gotten the SAFE Report as well as some other things. If we missed you, make sure that we have got the right coordinates for you on the address list over there.

The SAFE Report, we hope that you had a chance to look at it. Because that in principle is the basis for all of the discussions that we are holding here. It tries to update the FMP. And we will have a time when we can talk about the SAFE Report. It is the first time that we have sort of blended everything together, and had one SAFE Report for all of our species. So we would really like to get some feedback. We are going to be doing one early every calendar year.

There are also a lot of other handouts on the back table that I would call your attention to in addition to the SAFE Report. We have all of the stock assessment information from SCRS as well as SHARKS. We have ICCAT materials, what happened at the ICCAT meeting this year.

(End side A, tape 2.)

MS. LENT: We have the errata sheet from the FMP. We have a lot of materials relative to the time area proposed rule, including copies of the rule package and copies of the testimony that Penny Dalton gave yesterday on the Hill. Other folks around the table provided testimony. If you are interested in sharing that with the other members of the panel, I encourage you to do so.

All right. Until we take the coffee break, we are going to be covering the following topics. The errata sheet, and that is this handout. It is on the back table. It was a long FMP and a long amendment. So not surprisingly, there were a number of errors.

We know that this is not an exhaustive list. We know that you in fact might have your own errors that you have found. We would encourage you to report those to Carol Brewster-Geisz. Carol, you are in the back there. If you have them with you today, that is great. If you want to mail them later on, that would be super. The same thing for the SAFE Report.

All right. Chris is going to talk about the technical amendment. Mary McCall, our attorney, is going to address the litigation update, what is the latest on HMS litigation. Buck will be sharing some information on tournaments. And then Carol will be giving us an update on limited access. As you know, we mailed out all of the permits, and had some people apply, and had some people appeal. So there have been some shifts in the numbers and changes.

So we are going to go straight to the technical amendment. Chris.

MR. ROGERS: Is there a roving mike?

MS. LENT: It does not work.

MR. ROGERS: It does not work. Then I guess I better go to the table. We got the final rule published on May 28th last year that implemented both the new HMS fishery management plan and the billfish amendment one. Once the dust had settled after a couple of weeks, we noticed that there was some wording, and some omissions, and inadvertent editing errors, and things like that in the actual regulations that did not achieve the consistency with the way that things had been discussed at the Advisory Panel, at the public hearings, and with the statements in the FMP itself.

So what we did is issue a technical amendment that was effective the same date as the final rule, although there were some delays in getting it published. It did not actually publish until July 13th, but it was retroactively effective until the same date as the final rule itself.

There was, we felt, no sense of controversiality at all, because it was again just to achieve consistency with what had been expressed throughout the whole rulemaking process and the wording of the FMP to address some of these inconsistencies with the way that the regulatory text had come out.

I am just going to review quickly some of those changes. We did fax it out I believe over the fax network. I do not know how widely it was distributed. I am sure that most of you do not read the Federal Register daily, but it did come out on July 13th. While the technical bugs get worked out on the technical amendment, I will just go ahead and start.

One of the biggest questions that arose right away was the applicability of the recreational retention limits, two persons aboard charter and head boat vessels. This was an issue really only of relevance because of the yellow fin tuna, which had the three fish per person catch limit applied in the final rule.

And we do allow fish landed by persons aboard charter head boat vessels to sell those fish provided they are sold to a licensed dealer. So in that sense, the charter head boat category in the Atlantic tuna is considered a commercial category permit. The regulations had referenced the general exemption of persons aboard a vessel with a commercial category permit from the recreational catch limits.

Clearly, we had intended the three fish per person yellow fin tuna catch limit to apply to persons aboard charter and head boat vessels. So we clarified that in the technical amendment. That did raise an issue with certain charter head boat operators, who do take commercial yellow fin tuna trips on occasion --

(End side A, tape 3.)

(Begin side A, tape 6.)

MR. ZALES: -- a recreational representative from the Gulf of Mexico. You have someone from the east coast of Florida. You have Ellen Peel, with all due respect to her and her organization. And you have two people from North Carolina that are recreational representatives.

And can I get a reason why the Gulf of Mexico is not represented by a recreational person?

MS. LENT: Well, we do have the Gulf of Mexico Fishery Management Council that is on both of the panels. When we got our nominations, we did our best to lay

them out and try both in terms of people's constituency background -- recreational, commercial, environmental, academic, in terms of the species they were interested in, and in terms of their geographic distribution. We tried to get as wide a spread as we could. If you have concern that we missed the mark, I would encourage you to just put that in writing, and I will take it back to my leaders. Thanks.

MR. ZALES: Just to let you know, I intend to do that. I am also going to notify the entire congressional delegation of all Gulf states for that. Because with all due respect to Mau Claverie and Irby Basco, who are here representing for the Gulf of Mexico Fishery Management Council, they are representatives of that council, and not representatives of the recreational community. So that was just my concern, and I appreciate the answer. Thank you.

MS. LENT: Thank you very much. And Irby, would you like to introduce yourself, please.

MR. BASCO: Thank you for the comment, Bob. That is well done. I think it would be well to have another representative, recreation representative. Thank you.

MS. LENT: And you are Irby Basco from the Gulf Council?

MR. BASCO: Yes, right.

MS. LENT: All right. Then we are going to proceed with the rest of the agenda for this afternoon, starting with an update on tournaments and limited access. And then we will do what we were scheduled to do post-break. Thank you.

MR. SUTTER: We were discussing updates on how things were going for the year of 1999 for billfish tournaments. Here is a slide that summarizes. Basically, this is a reaction to the 1997 ICCAT recommendation to reduce landings by at least 25 percent. We had included in an interim rule, and then in the final amendment an increase in blue marlin, white marlin, and size limits. We also increased sailfish, but that was not part of the ICCAT.

In 1998, it looked like we were in good compliance with that and on target with that, even though there was for the most of 1998 a 96 inch limit on blue marlin. It worked out quite well for white marlin as well. However, in 1999, it looks like that there were more landings, even though the average size in 1999 was 107 inches. The Southeast Science Center is actually looking into this right now, and we will go into some of the possible reasons for this in a minute.

But basically, this is a matrix of where we are right now. Determine monitoring and registration work went quite well this year. In the past, the average is about 100 to 105 tournaments that reported this year. Even though it says 124 here on the slide, it is more like 155 that registered, and about 150 reported. So this is many, many months ahead of where we have been in the past with the tournament monitoring, at least as far as billfish goes.

This is more of a breakdown of comparing 1999 to 1996, which is the bench mark year for the ICCAT recommendation. The white marlin, as you can see, the Atlantic has been reduced about 48 percent by weight. However, blue marlin, based on a comparison of 86 overlapping tournaments. However, these are the same tournaments that happened in 1996 and in 1999. There are fewer landed, on the order of magnitude of about 15 to 18 percent.

But what happened was that the fish were much larger. So part of the reason for this -- these slides are a little bit out of order. This is the size distribution here of the tournaments that are above 99. You can see a pretty good scatter from 99 on down through 125 by weight. What is happening is that because of when the regulations went into effect in June, there had been some landings already in the Bahamas. And there is actually a good little number of non-compliance, which is kind of to be expected when you put a new regulation

into effect.

So we are looking now into what the exact compliance was, and whether we actually need to bump up the blue marlin this year to make sure that we are in compliance with the ICCAT recommendation as extended to include the year 2000. So we are working with the Southeast Science Center right now to look at that.

We are also looking at trying to decide whether it is necessary to provide an in season mechanism to allow us to change the size limits a little quicker than going through a whole proposed and final rule series. It allows us to adjust it, as I said, a little quicker. The ICCAT recommendation only lasted for the year 2000, so at least currently.

This is a big billfish year and marlin year. In July of this year down in Miami, there is going to be the stock assessment. So a lot of them will come under review. So that is a quick summary of where we are right now with at least the billfish tournaments.

The shark and tuna registering and monitoring will be done out of the National Seafood Inspection Lab in Pascagoula as part of Sustainable Fisheries. And that is going to be cranking out right now. Are there any questions?

(No response.)

MR. SUTTER: I guess that we are going to have an update on limited access tournaments.

A PARTICIPANT: I have a question.

MR. SUTTER: Oh, I am sorry, I did not see your hand. I did not look to that side. Yes, Russ.

MR. NELSON: How did the number of tournaments that were reported last year compare with the number of tournaments reporting in the two prior years?

MR. SUTTER: Well, like I say, in the past, from what I understand, the average is about 100 to 110 tournaments per year that reported. This year, we had about 155. Whether there are more tournaments this year than in the past or whether we are just better using the registration format to get tournaments to report that had not reported in the past, that is something that Eric and his crew are looking into right now.

Like I said, that is why when we did these comparisons, we looked at the 86 tournaments that did not happen to occur within his database between those two years. That was a little red flag that went up that they are looking into right now as to the actual size that would allow us to make sure that we are in compliance with the landings. Yes, Nelson, and then Bobby.

MR. BEIDEMAN: How many total tournaments are there? Because what I have been hearing is that in the last couple of years that in the first year or so of the interim rule implementation that there is as low as 30 percent reporting. What percentage are we now of total tournaments and do we know? It sounds like we do not know what total tournaments are.

I know that tournaments take place on Long Beach Island all of the time, every weekend, little groups. I do not believe that they are registering whatsoever or reporting whatsoever. I have been told by some of these stocks that they will not report under any circumstance, under any circumstance. That when NMFS people come up, they throw them off. They do not let them know what is going on as from as HMS tournaments or anything in any way, shape, or form.

Now with the interim rule and whatnot, this is going into what, the third year of tournament registration and reporting in reality. If this were a commercial

measure, we would have had to have had a hundred percent reporting within months, not years but months.

MR. SUTTER: As far as the number of tournaments, I know that they have done quite a bit of work, as well as the Science Center, of looking at using newspaper articles and Web sites to search to see how many tournaments there actually would be to include the whole sweep of things and not just billfish in particular. I do not know if your question is just dealing with billfish in particular.

I know that this is something that we mainly we are concentrating on. The interim rule only dealt with billfish. And then the tuna and the shark tournaments were starting into registering and were not recording until, I cannot remember whether it was June 1st or July 1st of last year. So it is an ongoing process for that. I do not really have the numbers off the top of my head as far as how many shark tournaments and tuna tournaments versus billfish tournaments.

But I can tell you that at least for the billfish tournaments in general that there was much better compliance as far as registering and reporting than there had been in the past. As far as what the actual numbers were, I do not know. But I know we are improving on that. Go ahead.

MS. LENT: Let me add something quickly. Nelson, if you hear of a tournament that refuses NMFS --

MR. BEIDEMAN: I can give you the name.

MS. LENT: -- please let us know.

MR. BEIDEMAN: Yes.

MS. LENT: The registration at this time is a hundred percent, but the reporting is a hundred percent only for billfish. The reporting for other HMS tournaments, we are still working. So one of these projects we have had to put off due to other work load. We are still working on the sampling procedure for those. Thanks.

MR. BEIDEMAN: Two other areas of this. I do not know how much of it comes into tournament registration and reporting, but what is being done to track the landings of U.S. flag vessels in foreign tournaments, number one; and number two, what is being done to track private recreational, especially billfish landings, because they are quite extensive?

MR. SUTTER: I know for instance in the Bahamas that they go over. These Southeast Science Center folks are actually over there in some of these tournaments, and actually are over there to measure the fish. They also have a memorandum of understanding to get the information back and forth. Now as far as enforcement goes, from what I understand, even though the blue marlin and the white marlin are in supply throughout the Atlantic, the practical application as far as enforcement, the country has to ask for enforcement to come in and enforce U.S. laws. That is an enforcement issue. That is what I have been told.

MR. BEIDEMAN: In other words, Buck, we are not tracking the landings of U.S. flag vessels into tournaments in Venezuela and Brazil, et cetera?

MS. LENT: We are tracking them to the extent that we can. Again, anybody, particularly from the recreational community, if you have information on that, please let us know. One of the tricky things about this billfish situation is that per the Atlantic Tuna Convention Act, our regulations and our landings apply wherever U.S. anglers go. It is quite a trick to trace people around the world.

We do have pretty good cooperation with the Bahamas. I am actually making some contact there with my counterpart in the Bahamas. If you have other suggestions, please let us know.

In terms of the private vessel tracking, we would like to talk about that with the Advisory Panel, private landings of billfish. We would like to pursue options such as tag and other things that we might be able to do in the future. So I would like to hear from the recreational community as well on this.

MR. BEIDEMAN: Probably a tag system would be the only logical sensible way of tracking all U.S. landed billfish.

MS. LENT: I think Bob is next, and then Mau, and then Jim Donofrio.

BOB: Buck, looking at the 1999 billfish tournament preliminary results, which sticks out to me. And I know you mentioned the blue marlin size limit going up. But in one year, it looks like, if I am correct and those numbers are right, that we have had a 20 percent increase in tournaments. Is that what I see here?

MR. SUTTER: Just in the number that are registered. I think that in the past that the reporting has been selected by the Southeast Science Center, and it became mandatory through the final FMP amendment. I believe the number of increases reflected in that mandatory registration. Still it is reporting as selected by the Southeast Science Center.

A PARTICIPANT: I guess my question is are those numbers, if there was an increase and in 1998 we were using 92 tournaments, still regardless of what baseline, it still looks like a 20 percent increase in effort in tournaments.

And that is the question I am asking, are we seeing a 20 percent increase in one year in tournaments?

MR. SUTTER: It is possible. I would have to get back to you exactly on that issue. I am not sure if it is just a factor that we are beating the bushes more to get the registration, or the fact that there are more tournaments in general. So that is something that we could get the Science Center to address.

A PARTICIPANT: Did you know about these tournaments before you flushed them out of the woods so to speak?

MR. SUTTER: The Science Center might have. This past year, my office down in St. Petersburg was much more involved in trying to contact a lot of tournaments. And we relied on some information that was provided to us through the Internet, and people who were sending it to us. And the Billfish Foundation, and other entities who have been made aware that hey, this is something new. So that all adds to the part of it. How that all separates out and partitions out, I am not exactly sure. Jim.

MR. DONOFRIO: Buck, are you saying that we have to reduce from the 155 fish we landed to comply with ICCAT?

MR. SUTTER: The 155, the average size actually has increased from what I understand. Once again, I have to emphasize that this is very preliminary information. And as a matter of fact, we are still getting 1996 reports as the Science Center has been contacting a lot of these tournaments. So in fact, it may be that after all of the information is culled through and they look at actually what the weights are. Because, as you know, the compliance is based on the weight and not number, from what I understand. Go ahead.

MR. DONOFRIO: Well, I find this completely ridiculous that we are not addressing putting more observers on the long line vessels. Nelson is here

taking shots at us. No, he gets his say, Rebecca, all the time for ten minutes about bashing the recreationalists. You allow it. And then as soon as we want to speak up, you tell me to quiet down. Let's get observers on long liners.

MS. LENT: Let's just not get personal, okay?

MR. DONOFRIO: We were doing it, weren't we?

MS. LENT: Okay. Bob Zales is next.

MR. ZALES: Just real quick. To satisfy Nelson's thing, maybe some innovative VMS inventor could invent a personal VMS that he could attach to a recreational fisherman to send throughout the world, and you would get that information. I doubt that will happen.

Seriously, though, this information on here, this is tournament information only?

MR. SUTTER: That is correct.

MR. ZALES: All right. The regulations, I believe, apply to recreational landings and not tournaments landings, is that correct?

MS. LENT: The ICCAT recommendation refers to all landings. In fact, as we did last year, the Southeast Science Center will provide a comparative basis for looking at 1996 versus 1998 versus 1999. It will probably be based primarily on the same sample of tournaments in each year, the base year.

MR. ZALES: So you are still fixed on tournament. What I am getting at is the requirement is for recreational landings. Now naturally, in a tournament situation, you are going to have landings. Generally, in recreational fishing today, just going out just me on a charter or just me going out to play, those fish are almost 100 percent released.

So I suspect that when you apply recreational landings and you look at the overall landings, not just based on what is tournament caught, that you are going to see probably a figure far exceeding 25 percent reduction. So the target tournaments to try to say that we are not getting to our 25 percent to me is a moot point. You are not dealing with the regulation.

And naturally, the larger size limit that you have on the fish, the larger the fish is going to be, and the more poundage you are going to land that you can legally land. So that is going to play in there at some point.

Do you have any information at all on recreational landings, not just tournament stuff?

MS. LENT: There is some limited information available through the large pelagic survey for the areas that are covered by that, and I believe through the charter head boat and state.

MR. ZALES: We should have something out of the Gulf of Mexico, shouldn't we, for 1998 anyway I would think by now.

MR. SUTTER: The recreational billfish survey has, which is mostly the Gulf Atlantic. So the recreational billfish survey is based on tournament stuff. And the landings that are reported to ICCAT have been mainly based on tournament reported landings for the recreational billfish survey and the LPS. Nothing has changed on that.

The only point that we are trying to make with this tournament information, because it is the most up to date stuff we had, as far as seeing how we were doing on complying with that ICCAT recommendation. As indicated, this is only

landings. Obviously, there are landings outside of this. What percentage that is, we are working on trying to do that, whether it is as we suggested in the billfish plan, whether we need to need to implement landing tags or not.

The main chart was the one that had the 86 overlapping tournaments. And to say look, based on our preliminary numbers, January when we got these numbers, a week and a half ago, we thought that this was something that we wanted to bring before the AP to say this is something that we need to think about as far as being on the radar screen to make sure that we are in compliance.

It looks like at the first shot that we are looking pretty good, at least trying to compare apples to apples. That is why we used these 86 tournaments. For white marlin, it looks like we are in pretty good shape. There may be a problem with blue marlin. But whether that is because of how the rule is phased in. There was a period between March 28th of last year and June 1st that we had to go back to 86, because the interim rule expired. So it is possible that there were some small fish that were landed in that window.

We are working together right now as we speak with the Science Center to get an answer on those questions. The main purpose of this discussion one was to alert everyone that it looked like we really complied well in 1998. In 1999, there might be a problem with blue marlin, but we are looking into it.

And the other thing was that if we need to be responsive would be an in season system that would be way to do that similar to the bluefin tuna quota. These are some of the things that we wanted to bring forward.

MR. ZALES: If I could, I would suggest, too, that the tournaments that you had in 1996 because you did not have a reporting requirement, you probably had close to the same number of tournaments that you had there. Because in the Gulf of Mexico, I do not know of any new tournaments that have been created in the Gulf of Mexico in the past couple of years.

So I would suggest that somewhere down the line that the data collecting people missed some tournaments in 1996 that you are now getting today, because you make them report. So you need to get to the correct number for 1996 as compared to what it is today. These numbers will probably change in that respect and take that into consideration too.

MS. LENT: Right. The Southeast Science Center is doing that. I have got Mau, Bob Houter, Joe McBride, and Irby Basco, and then Nelson.

MR. CLAVERIE: Rebecca, reference was made to counting on private boats. Well, when private boats fish in tournaments, that is part of the tournament. I assume that what you are talking about is landings that are not made that are not in tournaments. Is that what it really is?

MS. LENT: Yes.

MR. CLAVERIE: Okay. The data gathering system in the Gulf has been existent since the late 1960s. It became NMFS catch per unit of effort data in 1971. From 1971 through God I do not remember when, for many years, it was a total landings and total effort survey. And by that, I mean that the people who were paid to get the information got the information for the whole season, not just for tournaments.

In some recent year, from my perspective, NMFS did not have the money to pay the people as much as it would take to go for the whole season. So they said forget non-tournament, just give us tournament. And so the switch from total to just tournament is a matter of money.

Also, the Southeast Center had some kind of thought that non-tournament fishing is not representative of general trends, but tournament fishing is. But that is not what we are talking about now. We are talking about a survey. So at least

in the Gulf, there exists a system that has and can track total landings, but it is going to get the interest of George Washington. If you do not have the money, it is not going to happen that much.

Now the money in this system can come private sources as well as the government. Some of the port samplers do on their own hook keep track of total landings in their area, but apparently not all of them do. But the system is there to do it. It is just a matter of going back to the old days where they did it.

And I have a specific question to Buck. Buck, you said that the science for sharks and something is now being done out of Pascagoula for the Gulf, sharks and what?

MR. SUTTER: Because of the some of the change in personnel and some of the issues that have come up, like Miriam has talked about with us being highly involved with all of these lawsuits most of last summer and into the fall, the implementation of the tuna and shark portion of the registration. We had gotten quite a few registrations, but we did not implement our reporting system, because we were still working with the Science Centers, both the Southeast and Northeast Science Centers, to find out what information exactly it is that they would like to collect from these tournaments.

We have been working very closely with the folks in the Miami lab to make sure that information is still collected in a way that is meaningful and comparative.

MR. CLAVERIE: I did not make myself clear. The question is where is what science being done as between NMFS Miami and NMFS Pascagoula; billfish, marlin, and sailfish are still coming out of Miami?

MR. SUTTER: That is correct. As it stands right now, any tournament that has any billfish whatsoever is going to the Southeast Science Center.

MR. CLAVERIE: What about sharks and tunas, is that information going through Pascagoula?

MR. SUTTER: Right now, that is under the National Seafood Inspection Laboratory.

MR. CLAVERIE: That is Pascagoula?

MR. NELSON: Pascagoula, right. Not the Science Lab, but something else.

MR. CLAVERIE: And where is swordfish in this?

MR. SUTTER: That would be the same thing. I apologize, the swordfish as well.

MR. CLAVERIE: So that goes through Pascagoula?

MR. SUTTER: Yes.

MR. CLAVERIE: Okay, thank you.

MS. LENT: Bob Houter is next.

MR. HOUTER: Bob Houter. Buck, remind me, shark tournaments that operate in state waters, primarily in state waters, are they required to report to NMFS, are they required to register? Obviously, this would only apply to sharks, I guess.

MR. SUTTER: I am not sure. You caught me on one, I am not really sure. I would have to look that one up. I am not really sure how to answer that question. I

think right now we are just saying all shark tournaments, but I am not sure what the caveat is on operating EEZ. With billfish, it is a little different, I know.

MS. LENT: In principle, shark regs only apply to activities outside the state waters in the EZ. It is my understanding that most shark tournaments are operating there. Maybe I got that all wrong, but what is your take on that?

MR. CLAVERIE: Most is correct, but there are definitely some that are entirely within state waters. And the Florida Gulf, which is of course nine miles offshore.

MR. SUTTER: Right.

MR. CLAVERIE: The other question. I know you said that you did not know the exact numbers, but can you give me like a ball park estimate of how many shark tournaments there are now, ten, fifty, a hundred?

MR. SUTTER: Well, I think that we have probably got around 25 or 30 that were registered last year. But I know that was also skewed, because that was late in the year. So I do not know. I would have to talk to the folks there at Pascagoula to see what they have done. Somewhere in the neighborhood, I think it was around 450 tournaments of all kinds of non-billfish. Now how many of those are sharks, and how many of those are tuna, and how many of those include swordfish, I do not know the exact breakout. But I do know that based on a pretty extensive survey of the Internet, that is where most of that came from.

That is what they are looking at right now. There may be overlap on that, like we found with billfish tournaments doing that. I really do not know the answer to that exactly, but we are getting at that.

MS. LENT: Okay. And if you have any insights as to whether we are way off on that, do let us know. We are still working on tracking everybody down. Joe McBride, Irby Basco, and Nelson. Joe.

MR. MCBRIDE: Two things. I would like to congratulate the agency on I think the success of encouraging tournaments to register. I know to make an analogy. We have run a charity shark tournament in Montauk for fishermen's kids for the last almost thirty years, and we have given out a number of scholarships. We never registered until last year. So I am assuming that the increase in tournament registration is due to awareness that they have to register. That is number one.

And number two, just to placate the concerns of some of the members of the panel, in regard to billfish. Years ago in Montauk, for example, which certainly is not the billfish capital of the world, but we used to catch, within a half day's fishing, I could take you out and catch you, I have a good shot at catching a white marlin. We do not do that anymore today. We cannot find them. For whatever reason, the fish are not there. If you catch two or three billfish a year, a full-time charter boat such as myself, you are very lucky. And I do an awful lot of trolling for tuna fifty or sixty miles offshore in the edges of the canyon.

But anybody in Montauk that would come in with a marlin either blue or white with rare exceptions, I cannot even think of one, but any professional would be laughed out of the harbor. I do not care whether the size is legal. They are not edible for our purposes there. You can mount them with pictures and size estimates, and so forth and so on. And because of the paucity of these fish, which were in abundance years ago, and because there is such a decline in our opinion for whatever reason, we would laugh at you.

So I hope that alleviates the concern of those who might think that the sport fishing industry would even attempt to waste a resource in such decline.

MS. LENT: Thank you, Joe. Irby.

MR. BASCO: Thank you, Rebecca. I had a question for Buck. Being that I go to a lot of places out of the country and do fishing following around someone who chases world records, I have seen more and more of these tournaments being actually a release format.

Are you seeing that in your investigation of these tournaments now?

MR. SUTTER: I think that probably the folks that the Science Center could probably answer that one better. But we did include that question this past year, whether you encouraged release or if it was 100 percent release. And we have seen from my discussions with the Science Center that there is a lot more movement towards catch and release, or having extremely high minimum sizes, maybe 110 inches or more. So a combination of one or the other, that we see much more conservation oriented.

And I think that part of it too is coming up with the mechanism to make sure that points are awarded fairly and all of that. But I think that you see much more of that than you have in the past.

MS. LENT: Nelson Beideman, and then Russ Nelson, and Jim Francesconi. We will try to wrap this up.

MR. BEIDEMAN: My interest in this and concern goes a lot further than the punitive. What I am really worried about goes to the heart of our credibility at ICCAT. And John Graves may want to speak to this. But we have asked ICCAT nations to do something for billfish. In turn, we have agreed to enhance our recreational billfish monitoring. It is right in the recommendation.

We are going to be going back to ICCAT asking ICCAT to do more for billfish. Meanwhile, our national report is even embarrassing, not just on billfish but on other HMS recreational species as well. The national report year after year says minimal estimates are not available or will be updated in the future year after year after year.

And I have been in meetings repeatedly where the recreational industry's primary concern is that it does not have what it considers reality reported into the ICCAT record. You cannot have it both ways. If your yellowfin tuna numbers are low and you want better reporting, that is a good thing. I am trying to help you. I want to tighten up reporting recreational and commercial. I want every damn fish reported, and to be able to hold our heads up to all of the nations in ICCAT.

MS. LENT: Nelson, as we move through the agenda in the next couple of days, maybe you can point out places where you think we have got our priorities wrong and that we need to put more resources in it.

MR. BEIDEMAN: One other thing.

MS. LENT: Quickly, please. We are running out of time.

MR. BEIDEMAN: This may primarily go to Russell. It is the question of what if, what do we do as far as night reporting, night trips for swordfish off of the east coast of Florida. Because they are catching quite a few swords, and I want to make sure that they are captured in our numbers as well.

MS. LENT: Okay. Russ, you are next on my list. Quickly, please.

MR. NELSON: Probably as many as a half dozen over the course of the last year, I guess. My concern is that you mentioned that we might have to go to mid-season adjustments, changes in the size limits and other things, in order to

try to capture the reductions that we need. At the same time, you did point out accurately how when the size limits went into effect originally that it took awhile for them to filter down.

I think you have to realize, as we have been told over and over by your Advisory Panels, that when you make a decision in Washington and publish a change quickly in the Federal Register, it does not happen in the real world. It takes a lot of effort and a lot of communications and outreach to get out to people, and it still takes awhile for it to be absorbed.

So I am not certain that such mid-season reductions or changes would yield the results that you want. And the bottom line is that the Advisory Panel unanimously, with the exception of my friend Dr. Claverie here, told you all when you were working on the amendment that if you wanted to control billfish harvest that you needed to institute a tag.

That way, you could track exactly how many were landed, and you could regulate through lottery or other means the number of fish that could be taken before you get stuck trying to fix or repair a system that obviously is not working. Let's try to go back to that. Let's not lock ourselves into this size limit stuff, and try to do a bunch of changes that people are not going to absorb. Let's see if we can go back and take that suggestion to heart. Because as was predicted by some, the minimum sizes themselves do not look to have done what we hoped that they might do.

MS. LENT: Thank you, Russ. Jim Francesconi, and then Jim Donofrio.

MR. FRANCESCONI: Buck, one question on your matrix here. You have got a number of tournaments. That is equivalent to N, right, that is the number that you sampled in those years?

MR. SUTTER: Yes.

MR. FRANCESCONI: So it seems like you are indicating that we were not achieving what we wanted to achieve for 1998 and 1999, but we still have got a decrease in the number of fish per tournament. So you just grabbed your canvases better. That is why it appears like are there more tournaments or what is the question.

But one thing that might be useful to the AP in the future is that if you go ahead and work out your average number of fish per tournament. And then also to be able to keep that in some sort of a realm of reality, we may get another row there that indicates both days. Your canvas might select some tournaments that have fewer days, or more days, or actual fishing days perhaps. I imagine that is in the reporting, number of vessels and whether it is a two day tournament or a five day tournament, or how many weather days there are.

MR. SUTTER: Right.

MR. FRANCESCONI: If we could see that information, that might put it more in perspective. And there is an achievement of less fish per tournament.

MR. SUTTER: And there was a publication that was put out. I am not sure if it is over on the table or not, but I can certainly can get copies of it, that showed that in fact they did do that, looking at the number of fish that were boated versus the number of fish that were encountered for 1998. And that definitely was a decrease.

Again, that is why in the second slide looking at the 1986 overlapping tournaments, because there has to be a fair comparison. In fact, that is why there may be some concern there. Obviously, there is a lot more to this that needs to be looked at. That is why we did not jump the gun, and go out with an increase in size limit that may not be necessary, because it does take time to go out there and get this filtered out.

The reason that we wanted to come to the panel, and I do not know if we are going to be talking about this later, but doing an in season adjustment is instead of going through a six month process to get a proposed rule and a final rule, that if we could just get a process that is already predetermined as to so many a week or so many a month announced ahead of time based on what it looks like that the landings need to be, that we can adjust it before the fishing year begins on June 1st. What happens in the stock system in 2000, we do not know, so there are a lot of unknowns right now.

MS. LENT: Maybe two more questions on this topic. Jim Donofrio, and then Bob Zales.

MR. ZALES: To that point, I have another question. Is now the time for me to point out a couple of problems that I have got with some of your text in this stock assessment book?

A PARTICIPANT: That would be tomorrow.

MR. ZALES: It is going to be tomorrow, okay. To what Buck is talking about on the in season adjustment and to Russell's point, it is not going to work. In the Gulf of Mexico, we have just finally for the first time in four years now have got a fixed season in red snapper, so we do not have an in season adjustment. And this is not a tournament situation. This is just people trying to plan vacations, and plan fishing trips and whatnot, so we have a fixed season. That we know what we are going to be able to do right, wrong, or indifferent, it is there.

And when you are dealing especially in tournaments for billfish, information goes out months in advance to advertise these tournaments. And if you advertise a certain thing and you get to the day of the tournament, and all of a sudden zap, NMFS says we are jacking that size up to 200 inches, somebody is going to have a problem with that, and it is just not going to work.

MS. LENT: Okay, thanks, Bob. I appreciate that. We are going to have to move on. If we have time at the end of today, we will try to get back to some of these issues. Okay. Very quickly, John, please.

MR. JOLLY: A couple of things. The states are helping you out to collect this billfish data, is that not true; all over the country, we have got states collecting data and supplying it to you, as well as the tournaments?

MR. SUTTER: Yes.

MR. JOLLY: And also, do you have some estimate yet as to what percentage the tournament effort is to the total billfish effort, do you have any understanding of that? We did not have it twenty years ago.

MR. SUTTER: As a matter of fact, that is some of the impetus for the billfish tagging, the tarpon tag, and the bluefin tuna tag. I think that is what we were trying to get at when we proposed those before.

MR. JOLLY: We are not any closer to that day than we were 20 years ago, is that right?

MR. SUTTER: Not really, I guess from that standpoint. But I think that just from looking at what we had talked about earlier, I would say that probably the landing behavior has changed quite radically from the way that it has in the past. I would feel fairly confident saying that. Whether we know what the actual numbers are, but certainly there is much less fish that are being landed now than there have been in the past.

MS. LENT: I guess the one indication that we do have, John, is that one study by Bob Ditton, where he surveyed tournament anglers, and asked them what

percentage of your trips, and efforts, and catches is in tournaments.

MR. JOLLY: Okay.

MS. LENT: So there are some figures there, and that is in the amendment.

MR. JOLLY: And I guess that we are still relying on MRFS data for just the general fishery at large.

MS. LENT: The large pelagic survey as well as MRFS.

MR. JOLLY: And we are trying to get another one going. And lastly, have we abandoned this hook rate thing that we used to collect years ago, and now we are only getting catch per unit of effort on?

MR. SUTTER: That is still being reported by the Science Center.

MR. JOLLY: Okay, thank you.

MS. LENT: I have got a lot of people begging me for one more intervention. I will have to go to Captain McBride first, and then Mau, and then John. Very quickly, please, thank you. We are way behind schedule.

MR. MCBRIDE: Forgive my ignorance, Rebecca. I would like to ask the agency, U.S. information both recreational and commercial of ICCAT, I am not a member of the advisory board, so I do not know what goes on over there, is our information any less viable than perhaps the other members of ICCAT relatively speaking, any more accurate or any less accurate than the other members recreationally and commercially, in your opinion.

MS. LENT: I am going to let John Graves speak to that.

MR. MCBRIDE: John.

MR. GRAVES: That is the point that I wanted to make, which replies to Nelson and the credibility. The U.S. put forward a resolution this year asking other nations to do the best they could to report the recreational landings. The fact is that other countries do not report them. There are only a handful that do. So in terms of credibility, I think that the straight face test is looking at the other countries and saying we are going through a pretty extensive effort to report our recreational landings, and you are not even bothering. So I do not think that we are losing credibility there.

And when you look at other nations, in terms of the recreational catches, they are not even making an effort. As far as the commercial landings, that is something that we have to take again on face value. You cannot really challenge them in that form.

MS. LENT: Quickly.

MR. MCBRIDE: If I may very quickly just say God bless America.

MS. LENT: Thank you, Captain McBride. A last comment from Mau Claverie. And I hope that we can come back to this issue, because I know you guys want to.

MR. CLAVERIE: Well, this is to what John Jolly said. I do not know that twenty years is the right time frame. But let me say again that since 1971 in the Gulf, we have been keeping success per unit of effort. And at the beginning, we were keeping it the whole time, which included tournament and non-tournament. When they stopped getting the information on non-tournament, I do not remember, whether it was twenty years ago or less. But there is a comparison from that old data that would show how much was involved in tournaments and how much was not involved in tournaments.

MS. LENT: Thank you very much. We are going to move on to a quick litigation update. And Bob and others, we will get back to this when we can.

MR. ZALES: If I could, it has been about two years since they quit doing total effort and only tournaments effort.

MR. CLAVERIE: So that means 20 years ago, we had it. And 18 years ago, we had it. And three years ago, we had it.

MS. BREWSTER-GEISZ: Thanks. I am going to talk a little bit about limited access. Despite all of the litigation, the limited access did go through, and we spent a lot of time this summer going through the applications, and finding out how many people are going to actually be in the swordfish long line business.

As many of you know, when we implemented the FMP last May, we also mailed out about 2500 packages to current permit holders for swordfish and sharks. And in those packages, we included 421 swordfish permits, and 796 shark permits. The numbers are on the handout that Margo is passing out, and are on the screen behind me. There are also the 421 tuna incidental long line permits. Those went with all of the swordfish permits. Because you now need to have both the swordfish, shark, and tuna in order to go pelagic long lining.

The application deadlines for directed and incidental limited access permits were September 1. So that deadline is passed. And also, the hand gear permit deadline has also passed. It was December 1st. We did not hand out any swordfish hand gear permits initially. You needed to apply for that. So we gave it a longer time frame.

As of January 19th, we had received 287 swordfish applications, and 294 shark applications. We still have 16 applications pending. But we approved 61 directed swordfish applications, and 80 shark directed applications. And we also approved 32 incidental swordfish permits, and 98 shark incidental. We also approved 115.

As you will see in the next slide, the numbers have changed a little bit, because this was January 19th. We are still going through all of the applications. As you see, there are 16 pending on the 19th. Some of those are actually complete.

We have not received very many appeals, 17 swordfish and 39 shark. And only a few of those have been approved either incidental or directed.

(End side A, tape 6.)

MS. BREWSTER-GEISZ: This is as of January 30th. I guess it was almost two weeks ago. Things are winding down. These are pretty much the final numbers, but not quite. This chart shows you a little bit of a breakdown of how many people who hold a directed swordfish permit also hold a directed shark permit. So there are 99 of those. And if you follow down the columns, you can find out how many people hold incidental, and hold directed shark and hold incidental shark. And then the total number of incidental permit holders.

If you hold swordfish hand gear, you do not need shark or tuna. So there are a bunch of people who went out and got a swordfish hand gear permit. That allows you to use the rod and reel and harpoon. There are a bunch of people who have those without shark permits.

And we have a total now of 978 permit holders. That is the combination of the vessel owner and the vessel. You might get a few more of those through the pending applications and through the appeals. But that is pretty much it for not.

A PARTICIPANT: Rebecca, I remember that when we are at the ICCAT meeting in Reno, a bunch of us had asked how many vessels are allowed to fish in a long line fishery for swordfish, and we did not have that number.

What is this total here, is it the incidental with the directed?

MS. BREWSTER-GEISZ: There is 243 that are allowed to direct on swordfish, and 207 that are allowed to catch them incidentally. So that is the number that you are looking for, I believe. The 978 is everybody who holds either a shark or a swordfish.

MS. LENT: And if I indicated that I did not have the number, it is because that indeed in November that number would have been in a state of flux.

A PARTICIPANT: I want to find out, because all of us are aware of the pending legislative initiatives on this. And we are told that if so many vessels go out of the fleet, that it is that percentage.

But I think that it was based on a number of 200 and something vessels, not 400 and something vessels, am I correct?

MS. LENT: The number is a moving target.

A PARTICIPANT: Right, okay.

MS. LENT: Are you talking about the legislative proposals?

A PARTICIPANT: Yes. The proposed legislation, I think they said 68 vessels may leave the fishery to qualify. But I think that it was based on a universe of 200 and something boats, not 400 and something boats.

MS. LENT: Well, you will need to talk to the folks who did the bill, but I understand that they were looking at directed permits. So that would be their basis for the number.

A PARTICIPANT: Okay.

MS. LENT: Russ Nelson, you had a question. And then David, Peter, and Nelson.

MR. NELSON: Just give us an idea, how do the total number of shark and total number of swordfish permits as of January 30th compare with the number that were fishing prior to the development of the criteria and the limited access program?

MS. BREWSTER-GEISZ: Do you mean the number that held permits?

MR. NELSON: Yes. How do the number of permits now compare to the number holding permits before we limited access?

MS. BREWSTER-GEISZ: It is all in the FMP. We had about 1000 swordfish permits, and I think around 1500 or 2000 shark permit holders before limited access.

MS. LENT: Does that help?

A PARTICIPANT: Yes. It probably would be good to present that information, if you are going to summarize. If you are trying to show us the level of success or lack of same, and the access limitation, it would probably be good to have a comparison figure up here for us to look at. So it sounds like there was a very, very modest or negligible reduction in swordfish and some reduction in shark total permits, is that right?

MS. BREWSTER-GEISZ: Well, we went from 1000 to 243 that are allowed to direct, and then 118 that are allowed to basically direct with hand gear only.

A PARTICIPANT: Would the 1000 figure not be comparable to the total of 978?

MS. BREWSTER-GEISZ: Of those 1000 permit holders, there were about 300 that consistently were active in the fishery.

A PARTICIPANT: (Inaudible.)

MS. BREWSTER-GEISZ: I understand.

MS. LENT: That is a good point.

MS. BREWSTER-GEISZ: That is a good point. Thank you.

MS. LENT: David Wilmot.

MR. WILMOT: Just to follow up on that. It would be very helpful if we had information that would tie landings to the fleet. And the number that would be extremely useful might be what percentage of these permits catch 80 percent of the quota, and what percentage of these permits catch 90 percent of the quota. This is going to come up, I can promise you, when we are talking about the closed areas, and assumptions around redistribution of effort.

If 100 vessels are directing for swordfish and catching 80 percent of the quota, I think that everyone tomorrow will understand my horror when there are 143 latent permits out there that could become active fishers even after a buy-out. Those figures are essential for us to be able to give you advice on comfort levels with closed areas and concerns with redistribution of effort.

So my question is are these data going to be available from you even in ball park area for discussion tomorrow?

MS. BREWSTER-GEISZ: It would be hard by tomorrow. We might have something in the final rule. We will make a note of it, and try our best to get that in there. It was difficult when we put out the proposed rule, because these numbers are still changing, and they are still changing. You can see the differences just in two weeks worth.

MS. LENT: And we have not had a complete fishing season since we have had this limited access in place, so we could go back and get historical data. In the meantime, we have permits traded. So it would be a little tricky, but I can understand your concern about trying to get a ball park figure.

MS. BREWSTER-GEISZ: The numbers that we used in the proposed rule just came from the people who had qualified. So you can get an idea of what they were doing, and how much the distribution changes.

A PARTICIPANT: Even ball park, I think would be extremely helpful. If 150 caught between 60 and 80 percent of the quota, even that type of limitation I think would really help.

MS. BREWSTER-GEISZ: Okay, thanks.

MS. LENT: Peter Weiss.

MR. P. WEISS: I am just kind of fascinating. I guess my question goes along David's line, I think. I am not too familiar with this. But it seems to me that we have got 500 general category permit holders, I guess. And if we reduced that to 1500 permit holders, everybody would think that it is a terrific reduction. You know, you reduce 70 percent. Except the fact of the matter is that the other 6000 probably do not even fish.

Is this the same thing that happened here, I was just wondering was there 1000 permit holders, except 800 did not fish this fishery, and then you ended up

with 200 who do all of the fishing?

MS. BREWSTER-GEISZ: We were trying to remove latent effort. So those are the people who are not fishing, yes. And that was the whole goal. We were trying to keep the people who were substantially dependent in the fishery, and the people who were latent who did not need the permits.

MR. BEIDEMAN: Previously, when the numbers of directed were at 232, I had inquired and basically determined that 202 of those 223 were pelagic long liners. The rest were squid and mackerel. And trawlers that caught more than 25 fish a year to qualify for directed. And gill netters who had qualified, but were not active in the fishery. How many of those 202, I do not know. How many of that 202 increased with appeals, I do not know. How many were the appeals basically long line?

MS. BREWSTER-GEISZ: I have not been involved in the appeals at all. That was beyond us, because we looked at the applications. So I cannot tell you.

MS. LENT: There is a fire wall.

MS. BREWSTER-GEISZ: I cannot really tell you.

MS. LENT: We only do applications, and something else does appeals.

MR. BEIDEMAN: Okay. I do agree with Dave that this is going to be very useful information to look at. And one of the things is what are the number of long liners in the directed fishery, and what are the number of pelagic long liners versus bottom long liners in the overall fishery.

MS. BREWSTER-GEISZ: Thanks, Nelson.

MS. LENT: Bob.

MR. ZALES: I am just as confused as I can be. I keep hearing numbers of 202, and I do not see these numbers here. I see all kinds of numbers. Directed shark in your last slide, I guess, in permits as of January 30, 2000, so I am sure that I am reading this right, directed swordfish, the long line permit is 99. There are 99 permits issued out there that something can take a long line and target a swordfish, correct or not?

MS. BREWSTER-GEISZ: With the directed swordfish, you can use long line, and you can use hand gear.

MR. ZALES: Anything.

MS. BREWSTER-GEISZ: Anything that is approved gear for swordfish.

MR. ZALES: Any approved gear?

MS. BREWSTER-GEISZ: Yes. The 99 refers to how many directed swordfish and directed shark permits are the same.

MR. ZALES: Okay.

MS. BREWSTER-GEISZ: If you go down the column, you see that there are 144 people who hold directed swordfish permits and an incidental shark permit.

MR. ZALES: All right. So how many permits are out there that allow someone to long line a swordfish?

MS. BREWSTER-GEISZ: There are a possible 243 permits that allow people to direct for swordfish, and 207 that allow people to catch swordfish incidentally with a long line.

MR. ZALES: So there are 450 boats with the ability to long line a swordfish directed or not directed?

MS. BREWSTER-GEISZ: That is correct.

MR. ZALES: Okay. So that figure at one point used to be somewhere around 2000 or so, or something like that, 2000 or more?

MS. BREWSTER-GEISZ: Right.

MR. ZALES: All right. I think I am getting clear on this. Because I had four swordfish permits that theoretically I guess I could have done anything with until you all pulled them away from me, because I never fished them. I could have long lined with those. I now have four hand gear permits, because I sent them in before the deadline in December. And so I am four of that 101 that is down there. You said 101 swordfish hand gear.

MS. BREWSTER-GEISZ: That is correct.

MR. ZALES: So I have got 4 percent of the hand gear swordfish permits that are out there today. Okay.

MS. LENT: Frank.

MR. WALTON: What is considered under review, is that a permit that has been sent back for more information?

MS. BREWSTER-GEISZ: Under review?

A PARTICIPANT: You said that there are permits under review. If somebody filed by the deadline, and the permits got sent back, where does that permit stand now?

MS. BREWSTER-GEISZ: In the applications right now, we have some where the applications are incomplete, so we sent them out for additional information. In the appeals, there are people who have appealed the initial decision, the initial decision for the applications. And they are in that process somehow.

A PARTICIPANT: I am very surprised that there are 101 permits. That sounds like a very low number for what I think is one of the easiest limited access permits there was to get. So either people did not know about it or something fell apart in the system, because that is an extremely low number. I hold the other four permits. Between the two of us, we have eight. I am just in shock.

MS. BREWSTER-GEISZ: We sent out lots of reminders. And there were a lot of people in a lot of fisheries who applied and actually got them. We actually have some lobster fishermen for example who have a swordfish hand gear permit. So people knew about it.

MS. LENT: It was in Commercial Fisheries News. Jack Devneu.

MR. DEVNEU: Most of my questions have been answered here it looks like. I had trouble with the chart as well, Bob. I had a real hard time figuring this out. But I am still a little bit unclear in the swordfish hand gear. Now correct me if I am wrong. There are 118 permits that are now given for swordfish hand gear, and 101 of them do not have a shark component to them.

Now of these hand gear permits, this was a new classification, these 118 hand gear permits, all of these people, did they all used to have just a general permit, or is this potentially totally new entrants that have come into this fishery?

MS. BREWSTER-GEISZ: That is correct.

A PARTICIPANT: (Inaudible.)

MS. BREWSTER-GEISZ: There were three different qualifications to get into this fishery. Some of them had landings with swordfish hand gear historically. You also had the minimum earned income requirement that was just for commercial fishing, or for sale of fish, or charter head boat. So you did not need to have anything to do with swordfish to get into this category. You had to be a commercial fisherman and be in fishing somehow, but you did not need to be swordfish.

MR. DEVNEU: Well, I am a little bit concerned then. Because clearly, the potential here, and I do not know what the landing criteria is here of hand gear. Is it unlimited, I mean where do these fish come from now?

MS. BREWSTER-GEISZ: Right now, there is no limit. But it is with hand gear, which means harpoon, or rod and reel, or hand line. It is not long line at all.

MS. LENT: We could certainly discuss that in the future, as the swordfish stock returns and we get more large fish.

MR. DEVNEU: I think that the genesis of this, which is to try to weed out the latent effort, is outstanding. I am a hundred percent agreement that you get the latent effort out of any fishery if you can. But I am concerned that what we have done here is we have not invented a new fishery to go ahead and start increasing mortality on swordfish.

MS. BREWSTER-GEISZ: Part of the reason that we had this category put in and made the qualifications fairly easy to fit in the Virgin Islands and Caribbean that never had to have a swordfish permit. They were exempted from that. And suddenly, we were requiring them to have a swordfish permit. They needed to have some access into the fishery.

MR. DEVNEU: As a byproduct of this though, the byproduct of this that I see is people who before were not fishing for swordfish can now go fishing for swordfish and land as many as they want to and sell them all.

MS. LENT: (Inaudible.)

A PARTICIPANT: Thanks, Rebecca. If you could clear something up for me, because I am still not clear on this thing, about the incidental long line permit. If a vessel has an incidental long line permit, can he decide then to just fish for swordfish? No. Or he has a quota, is that what it is?

MS. BREWSTER-GEISZ: The incidental swordfish permits have a limit. If you are pelagic long lining, that is two swordfish.

A PARTICIPANT: Okay. All right. Because I was not clear on that. Thank you.

MS. LENT: Ron Whitaker, you are next.

MR. WHITAKER: Jim just answered one of my questions about the incidental catch. But my second question is I thought I heard awhile ago that all of these swordfish permits carried with them a tuna permit also.

Does that mean that there are 978 tuna permits out there?

MS. BREWSTER-GEISZ: There are only 450 tuna long line permits. It is just the directed and incidental swordfish that you also need to have a shark and a tuna.

MR. WHITAKER: So that universe would be 450 boats, long line and for tunas?

MS. BREWSTER-GEISZ: That is correct. They are not all long liners, but they have a tuna long line permit.

MS. LENT: Ross Nelson.

MR. NELSON: Just to put a little perspective on it. In recent years, the other categories have been less than 200,000 pounds. I do not know the specific number. It is something like 160,000 pounds for the year from the harpoon, hand gear, trawl categories that incidentally catch swordfish.

MS. LENT: (Inaudible.)

A PARTICIPANT: Thanks, Rebecca. Following along briefly on what Bob was saying down there, that had some confusion. And I had some confusion too looking at all of these charts, and some in the draft plan here as well. To be constructive, what I would like to suggest, and this is more of an editorial comment, that these figures need to be able to stand alone, and they need to be self-explanatory. So that people like us, and especially the general public, when they start looking these things, that they are not going to have trouble understanding what they mean.

For example, these permits as of January 30, 2000, I looked at it, and I figured that directed SWO was swordfish and directed SHK was shark. But you are so close to the data and the process, that I am sure that you do not have problems interpreting these things. But I can assure you that I have done this in the past, but I still had trouble understanding it. So that old editorial rule that it must be able to stand alone, and that you should keep it as simple as possible.

Also, looking at that graph, to me, I am still a little confused. There looks like there are 99 directed shark and 99 directed swordfish. So I am having difficulty. You probably had a short time to do a lot of this stuff. But I noticed it in other places with scientific data, that it is getting tough for the general guy to really understand it very well. And I know that is not your intent.

MS. LENT: We appreciate those suggestions. Thank you, John. Kim Nix.

MS. NIX: Hi, my name is Kim Nix from Kena, Texas. I have a question. If you want to go for yellowfin tuna, you have to have three of the permits. You have to have long line tuna incidental or direct, shark, or swordfish. Am I correct on that part?

MS. BREWSTER-GEISZ: That is correct.

MS. NIX: My second question is if I have incidentally a shark permit, am I allowed to apply for an application hand gear at the same time?

MS. BREWSTER-GEISZ: Yes. There were fourteen people who got incidental shark and the swordfish hand gear permit. But the deadline is passed right now.

MS. NIX: You see, in (inaudible), we did not understand that part. Because we thought that if you had one or the other, you cannot have both at the same time.

MS. BREWSTER-GEISZ: You cannot have a directed swordfish and a hand gear swordfish, but you could have a shark permit and a swordfish permit as well.

MS. NIX: I have trouble on that part.

MR. NELSON: Okay.

MR. HUDSON: The totals I see, we have 279 directed shark, 598 incidental shark,

making a total of 877 shark permits out there. In the regs in Chapter 7 in Volume III of the text of last year, you have 2101 shark permits issued. So the world has been reduced from 2100 down to approximately 877, is that a correct statement for shark?

MS. BREWSTER-GEISZ: Number of permits, yes.

MR. HUDSON: Because I remember from that lawsuit that we also had a peak period, and that was in 1997, we had a peak period of 2256 permits approximately I think.

A PARTICIPANT: I share John's comments here on clarity on what this chart might be to the general public. And I think that it is more alarming than it actually is. I do not see the relevance of the shared permit. Why don't we just list people who have directed shark and list people who have directed swordfish or incidental swordfish. And who cares if they have another permit, because they also probably have, there are some of these boats thought probably have a ground fish permit and everything else.

I think that it is totally irrelevant if they share a permit. In some instances, they have to share a permit. It is still one boat. It makes it seem like there are more boats out there having effort than there is. So I share John's thing here. I think that it is more alarming than it needs to be. And I think that it is irrelevant as to how many permits one boat has.

What you are interested in is a permit per fishery and the effort that might be in there. So I would certainly advocate, and I knew you threw this together, and I think it is a good job in a short period of time, but I would advocate maybe redoing this and taking out the cross-reference between permits, because I think it is highly misleading.

MS. LENT: Thank you. Bob Zales.

MR. ZALES: I may add a little more confusion here. If I am correct, doesn't my charter head boat tuna permit, if I catch a yellow fin that I catch three, and can I sell them?

MS. LENT: If you have the tuna charter head boat, you can sell it. But you are right now subject to the catch limit.

MR. ZALES: So that would be an incidental case theoretically in a commercial fishery?

MS. LENT: I do not see why it would be incidental.

MR. ZALES: Well, if I am out there fishing and I choose to sell them, I can sell them. I do not have to, but it gives me the ability to do that.

But to John's point and Jack's point, I am one of those people. I have a permit. Every permit that I qualify for either commercially or charter head boat, I buy. Whether I use it or I do not, I buy it. And as an example, my shark permit I lost. You all did not come up with a hand gear shark, so I did not get one of those. But you came up with a hand gear swordfish, so I got that, but I lost my shark permit.

And so when you talk about permits out there, you have got one boat that can have a multitude of permits on it. And that needs to be identified. We are generally in the industry in this recreational commercial or both, and we are just as confused as we can be. So if we are confused, I know that the officers out there are confused. And the general public, they have not got a clue.

MS. LENT: Thank you, Bob. Again, our aim with this matrix was not to confuse people. In fact, if you make a list of every single permit out there, it looks

like lots more boats than on this matrix. The purpose is to say there are a lot of boats with all of these permits. But as Bob points out, in some cases, it is the same boat five times on the list. So that is the kind of thing that we are trying to clarify. We appreciate that this matrix format is confusing, and we will never do it again.

Okay, I have got Randy on the list. Thank you. And let's wrap this up, if we can.

A PARTICIPANT: My question is one that Tim was getting at. What you say is all three permits, directed swordfish, directed shark, and tuna incidental long line are needed to pelagic long line?

MS. BREWSTER-GEISZ: It does not have to be directed. It could be an incidental swordfish, and incidental shark, and the tuna.

A PARTICIPANT: All right.

MS. LENT: The last question, Nelson.

MR. BEIDEMAN: Isn't it only if he is not currently chartering, that a party and charter can sell their yellowfin tuna catches, but not if they have a recreational charter?

MS. LENT: Well, Chris, you are going to have to do this. Just clarify that. Come up to a microphone, please. Just grab Rich's microphone.

A PARTICIPANT: Actually, this is one of the items that we are going to discuss with the charter head boat situation tomorrow. We have gotten a lot of comment on it. But currently, the way that the regs read, a yellowfin tuna caught aboard a charter head boat category permit can be sold. It is just that the retention limit of three per person aboard applies. But they can be sold provided that they are sold to a licensed dealer.

MS. LENT: Thank you very much. And we will just wrap this up. The last question, Steve, please. We are an hour behind.

MR. LOGA: Just one question. What if I am a new participant in the tuna fishery, and I want to go fish yellowfin tuna with a rod and reel, and sell every fish I catch versus the long line, what allows me to get a permit to sell yellowfin tuna now? I am a little confused. What do I need to be able to sell yellowfin tuna other than the old long line permit, which is now being phased out?

MS. LENT: Right now, you could get a charter head boat permit.

MR. LOGA: But I can only keep three.

MS. LENT: Or a general category. You can get a general category. Okay. I would like to just very quickly go over the results of the ICCAT meeting. Kim Blackenbaker. Please raise your hand there in the back there, Kim, who is our ICCAT specialist at the Fisheries Services here. I would also like those of you who attended the ICCAT meeting last November to raise your hand. And keep your hand up if you were mugged while you were in Brazil.

It was a very busy, and a very exciting meeting. I think that one of the highlights was the swordfish, of course. There were really hard negotiations down to 8:00 or 9:00 p.m. the last day, and people walking out of the room. But rest assured, that the people around the table who represent you did a really good job.

Okay. Just quickly, sort of the star of the show was the North Atlantic Swordfish Rebuilding Program. It is a ten year program with a goal of MSY in

ten years. It has got the tax set for three years declining to a level catch. Discard allowance to be phased out by 2004. We get a share of the quota, and a share of the discard allowance. Overages in discards will come off our quota. There is a lot of retention on swordfish discards. And if we are under, we have to share the benefits with all parties, as opposed to bluefin where we get 50 percent of it back and 50 percent goes to the resource.

Recommendations on import restrictions. There is a lot of progress here. A first time ever a ban on imports from an ICCAT member country, bluefin tuna from Equatorial Guinea. A first time ever swordfish trade restrictions, a ban on swordfish imports from Belize and Honduras. Panama is apparently doing a better job, and has responded to some of ICCAT's concerns. Therefore, it was recommended that the trade ban on bluefin be lifted.

Also, on swordfish, there was a resolution regarding time/area closures, and the north/south boundary, looking at possible international time/area closures, and even gear modifications. Something along the line of our proposed rule.

The Fisheries Service continued to provide the data to the SERS on this. Also, there is some concern about whether we have drawn the line correctly, or whether the SERS has drawn the line correctly on the north/south boundary for north and south Atlantic swordfish.

Illegal, unregulated, and unreported fishing. A resolution on that, perhaps not as strong as what we wanted. But making sure that ICCAT parties long liners under their flag do not carry out IUU fishing. And get the parties to discourage industry and the public in any kind of an action, particularly buying and selling fish that supports that type of fishing.

There was a lot of work on recreational fishing statistics, and we had some interesting comments on the floor from the Europeans sort of waving their arms, and saying how are we doing to be able to do this, it is going to be so hard, we have got recreational fishermen all over the place. Well, welcome.

It calls on countries to monitor and report their recreational fishing statistics, and talk about the techniques that they use to manage their non-commercial fisheries. And looking at the impact of recreational fishing on the resources.

How are we going to implement these here domestically. Be looking for an ICCAT rule, a proposed rule to be coming out shortly, that is going to address the swordfish rebuilding, and of course the trade measures. And we will be having a comment period and public hearings on that, to the extent that our budget allows.

We will also be doing a lot of work that is non-regulatory in nature. Our recreational statistics reporting, working with Kim and her folks in her division, and with the FAO folks at the Department of State on the IUU fishing. And, of course, our scientists are continuing to work with SCRS providing data and participating in stock assessments.

Species assessed this year include blue and white marlin, yellowfin, bluefin. And what else, John? I might have left something out. Is there anything else? I am not sure.

Okay. That is it on ICCAT. Are there any quick questions?

(No response.)

MS. LENT: Great. Oh, Irby, please.

MR. BASCO: Sorry.

MS. LENT: Go ahead.

MR. BASCO: I just wanted clarification on something, please. On the 2000 stock assessment fishery valuations of Atlantic Highly Migratory Species that you all sent me, on page 53, it has a number in there. Under fin fish, it says, "The most recent long line bycatch data are available from the 1999 U.S. national report to ICCAT. Long line dead discards of swordfish in 1998 were estimated to be 442 metric tons or approximately 29,479 swordfish.

Is that the U.S. flag vessels that discarded that many dead swordfish?

MS. LENT: That is correct. There is a copy of the U.S. national report on the back table, if you need it. As you can see, our dead discard allowance does not quite cover what we had last year. We need to make some progress in getting those numbers down before it starts coming out our hide.

MR. BASCO: I just wanted to make sure that was a correct figure there. Thank you.

MS. LENT: Thank you, Irby.

Are there any other quick questions on ICCAT issues? And Kim is here, if you have something in depth. Nelson, quickly.

MR. BEIDEMAN: Just to Irby. That is an estimate, and some of the methods that were used to estimate it are pretty controversial.

MR. RUAIS: I noticed in the SAFE Report that on the bluefin tuna stock assessment that it was only planned for the west Atlantic in 2000. And I was wondering if we are going to have somebody from the Southeast Fishery Center to explain why that is the case.

MS. LENT: I am not completely sure on that. But I believe, Rich, that it had to do with the wording that was in the recommendation. It was in the recommendation for the western Atlantic, but not for the eastern Atlantic.

John, do you have any insights on that?

MR. RUAIS: Well, historically, at least for the last ten years or so, bluefin stock assessments have been done every year. Now there was a SCRS recommendation -- no, both have been done. Since the middle 1990s, both eastern and western have been done together, mostly in Genoa, Italy. And they have been done at the same time, western and eastern. And there Washington a SCRS view that they would like to skip doing Atlantic bluefin assessments in its entirety, but that was not acted upon by the commission. But now in the SAFE Report, we see that yes, there will be a western Atlantic bluefin stock assessment, but not an eastern one.

Obviously, we support very much having a western Atlantic bluefin stock assessment. We want that, but we also do not see any reason why there should not be an eastern Atlantic bluefin stock assessment. In fact, you could make the case that given the circumstances of the last several years and the unprecedented increase in our understanding of the landings in the eastern Atlantic above and beyond what was supposed to be the sustainable level, that you would want to see an eastern Atlantic stock assessment even more.

MS. LENT: Thank you, Rich. Kim, could you just quickly intervene on that?

MS. BLACKENBAKER: (Inaudible.)

MS. LENT: And maybe we could have some follow-up at the ICCAT advisory committee meeting which is March 6th and 7th here in Silver Spring. Mariam.

MS. MCCALL: (Inaudible.)

MS. LENT: Okay. Are there any other points on ICCAT? We have just about caught up with our schedule thanks to this brief intervention. Let me just mention to please stay in touch this year. It is a billfish year, and it will be a bluefin year as well. We will be making any adjustments necessary per the 20 year rebuilding program. And stay in touch.

Okay. I will ask Pat Cheta to come on up, and talk about northern albacore. As you know, it was declared in the latest report to Congress to be over-fished. We made some initial efforts this year at ICCAT to address its status, and it looks like we have more work to do at ICCAT. Pat has some handouts, and he is looking for them now.

Are there any more general questions while Pat is looking for his papers? Yes, Mau Claverie.

MR. CLAVERIE: Did ICCAT declare them over-fished or just the U.S.?

MS. LENT: I think the United States, just the United States. I do not think that in the ICCAT realm. Of course, they do not say over-fished. They say over-exploited. I think that there is still some question as to that.

MR. CHETA: (Inaudible). In October of 1999, the north Atlantic albacore was listed as over-fished in a report to Congress. The U.S. only takes about two to three percent of total north Atlantic landings, and rebuilding is going to require multilateral cooperation. This issues options document is just the first step in preparing a rebuilding plan for north Atlantic albacore.

On the next page, there is some information about the stock status. For assessment purposes, there is existent three stocks of albacore in the Atlantic that is assumed. The north and south Atlantic stock is separated at five degrees north. And the Mediterrean stock, the U.S. fishes on the north Atlantic stock, and we have some very minor catches in the south Atlantic.

The SCRS conducted stock assessments for north and south Atlantic stocks in 1998, and the results were very similar. And basically, as repeated before, SCRS has determined that the north Atlantic albacore is at or near a level of full exploitation. And the current fishing mortality rate may be 25 to 40 percent higher than that which would support MSY. And the SCRS has recommended that fishing mortality should not be increased over 1997 levels. And they did not conduct a stock assessment for albacore in 1999, but I believe that they are conducting one in 2000. Mau.

MR. CLAVERIE: I would like a little education on how it comes that this fish, it is called the same, I do not know if it is different management units or what, is declared to be in one condition by ICCAT and a different condition or worse condition by the U.S.?

MR. CHETA: Well, I would not say that we declare it in a worse condition. We have certain criteria set up in the FMP that are on the next page as far as fishing mortality rates and biomass levels. and if the stock meets that criteria, then it is considered over-fished as far as our FMP is concerned, and that is what triggers our action.

MR. CLAVERIE: In the other species in this area, ICCAT was the first to declare it, that is not what they call it, over-fished, over-exploited, whatever the term is. And then we followed suit, and just said ICCAT says it is, so we say it is. And it just happened that the ICCAT science came from NMFS anyhow. But in this instance, it seems to me a little peculiar that on an international species like this as to what kind of position we are putting ourselves in to be more conservation oriented, which sounds like a good thing to be.

But are we losing credibility or anything else like that with this. And if we do hitch ourselves with an over-fished condition, is that going to improve the stock, or is it going to be of no use unless other nations cooperate?

MR. CHETA: On our own, you know, two to three percent of the total north Atlantic catch. What we will talk a little later on is that one of the options is to have something similar to what we had in the FMP for bigeye and swordfish, which is to establish the foundation for an international rebuilding plan to be developed at ICCAT.

I would stress that ICCAT or the SCRS at least has indicated that fishing mortality is at a rate above that which would support MSY. So they are not saying that fishing mortality is at a low level and sustainable level. They are saying it is too high.

MR. CLAVERIE: What is the U.S. saying, that we are over-fishing or that the stocks are below the level where they have been over-fished?

MR. CHETA: If you go to the next page, it is actually both. On the next page, there is a summary table for the status of north Atlantic albacore. It is actually identical to what is in the SAFE Report. If you look at the second box down, the current relative biomass level. The minimum stock size threshold for the north Atlantic albacore is .7 of the biomass that would support MSY.

And right now, the best science available has that at .47. So we are below that minimum stock size threshold. So the stock is over-fished. And then the next row as the relative fishing mortality rate, which is estimated at 1.39 F97 over FMSY. And our maximum fishing mortality threshold is 1.0. So we are both over-fishing . We are over-fished, and over-fishing is occurring.

I see your point that seems to be at odds with the SCRS noting that the stock is at or above full exploitation. The science is not particularly clear. As you can see, we have a pretty broad range for the relative biomass level. And the SCRS indicates that that kind of relative fishing mortality rate is uncertain. Robert.

MR. FITZPATRICK: The language used in the two bullets, the third one down and the fourth one down. The situation is very similar to most of the species that we are dealing with, particularly bluefin. We are under three percent of the catch, I think. Yet the language seems to be backed off a little bit from the bluefin position that the agency took.

I am wondering if we can expect bluefin to be backed off, and we are going to have to expect to have a more international conservation program in place; or should we expect that any user groups of this species will get a similar unilateral hammering around the corner?

MR. CHETA: There is a difference, Robert. This is two to three percent of the management unit which is north Atlantic.

MR. FITZPATRICK: Oh, it is that fence.

MR. CHETA: Yes.

MR. FITZPATRICK: Oh, yeah.

MR. CHETA: The U.S. takes about 55 to 60 percent of the western Atlantic bluefin.

MR. FITZPATRICK: Oh, thanks. I was not aware that fence was working very good these days.

MR. CHETA: Nelson.

MR. BEIDEMAN: What I go back to is the recommendation. And there are part of the recommendation that I do not understand, and I think that we need to have an understanding of, if we are going to discuss any actions whatsoever in the U.S.

I understand the first point as far as fishing capacity limitations and the exclusion of recreational vessels. But the second part where contracting parties are going to supply, and SCRS is going to carry out any valuation of the fishing capacity or the different fleets and gears that participate in the fishery with a view to establish efficient fishing effort correspondence, parties, entities, fishing entities, which have directed fisheries for northern albacore.

What the heck does that mean?

(End side A, tape 7.)

MR. CHETA: -- Rebecca about this, or maybe even to John, if he has some interpretation of the ICCAT recommendation, and what data that means that countries have to provide. Is that what you are asking?

MR. BEIDEMAN: Right. Well, just from a layman's view, I think that what that means is that we have to supply SCRS with the information on all of our northern albacore fisheries, you know, in reference period 1993 to 1995. So the rod and reel fishery, reference period 1993 to 1994. The long line fishery, we direct on albacore. It is a secondary target catch. They are trying to break it down into specific different fishery categories.

MR. CHETA: Again, in point one, it says exclusive of recreational vessels.

A PARTICIPANT: (Inaudible.)

MR. CHETA: Right. But point two is talking about an evaluation of the fishing capacity. It does not specifically say excluding --

(End side A, tape 8.)

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