

UNITED STATES OF AMERICA  
DEPARTMENT OF COMMERCE  
NATIONAL OCEANIC AND ATMOSPHERIC  
ADMINISTRATION  
NATIONAL MARINE FISHERIES SERVICE

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MEETING

OF

THE HIGHLY MIGRATORY SPECIES ADVISORY PANEL

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OCTOBER 4, 2007

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SILVER SPRING, MARYLAND

TABLE OF CONTENTS

Marine Recreational Information Program . . . .4

Greenstick Presentation . . . . . 51

Greenstick Discussion . . . . . 61

Outreach Plan Update. . . . .116

Open Forum/Public Comment . . . . .147

HMS Management - Looking Forward and Rule  
Change Requests . . . . .200

Adjourn

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

2 8:30 a.m.

3 MR. RUAIS: (Audiotape No. 14

4 begins mid-sentence) but I'd also remind  
5 people that to date there's somewhere less  
6 than a thousand tags that have actually,  
7 electronic tags, anyway, that have been put  
8 out, and some who are drawing conclusions from  
9 that, and that the definitive, authoritative  
10 tone to those conclusions may not be borne out  
11 when you're looking at a population that when  
12 it's in a healthy state has millions of  
13 animals within the various age classes that  
14 are out there.

15 It's quite possible that even  
16 though we've identified some distinct  
17 patterns, movement patterns with those  
18 thousand tags in a relatively low population  
19 state granted, both East and West, that when  
20 the population returns to a higher level and  
21 with increased tagging, we might identify  
22 additional migration patterns that these fish

1           are capable of that will maybe cause some  
2           reconsideration of these hard and definitive  
3           statements that we think we have the answers  
4           to where all western bluefin tuna, for  
5           example, spawn.

6                         PARTICIPANT: Thanks, Rich.

7           Anyone else? Okay, very good.

8                         MS. SCHULZE-HAUGEN: Thanks,  
9           Chris. I think we've obviously got some  
10          things to think about, look back at, double  
11          check our numbers and go from there. So thank  
12          you. Appreciate that.

13                        Are you loading, Ron? So with us  
14          now is Ron Salz from the Office of Science and  
15          Technology to give us a presentation on the  
16          Marine Recreational Information Program.

17                        Science and Technology has been  
18          briefing I think all the councils, so we  
19          thought it would be good to have a  
20          presentation for the AP so that given the HMS  
21          management with the Secretary so that you're  
22          getting the same information on the redesign

1 as the Councils.

2 MR. SALZ: First, I'd like to  
3 thank Margo for inviting me here this morning  
4 to talk to you all about a new initiative  
5 that's going to change how we go about  
6 collecting recreational fisheries data.

7 So what is our goal? What are we  
8 trying to achieve? Well, the goal is to build  
9 a new program to improve the collection,  
10 analysis, and use of recreational data. I  
11 would contend that this falls under the  
12 category of easy to say but difficult to do,  
13 difficult to accomplish. When you think about  
14 what we're trying to do, you start with the  
15 multitude of different types of recreational  
16 data collection programs we currently have, so  
17 what they do on the Pacific Coast is different  
18 from what we do on the Atlantic Coast which  
19 differs from what they do in Texas and so on.

20 Then you start to think about some  
21 13 million recreational saltwater anglers out  
22 there and the diversity amongst those anglers,

1 the different types of fisheries, the  
2 different modes they fish in, private access  
3 anglers, people who fish out of their own  
4 docks which are very hard to interview, night  
5 fishing, and then all the different types of  
6 data that you can collect and that we're now  
7 being asked to collect. And when you add it  
8 all up, it really becomes sort of an  
9 overwhelming task.

10 Also, as part of this initiative,  
11 we've been asked to make the new program  
12 flexible which means that it's adaptive to  
13 change, as management needs change over time,  
14 we don't want to have to come back in five,  
15 ten years and have to redesign the whole thing  
16 all over again. We want a program that's  
17 going to last decades, if not more.

18 So flexibility is something that  
19 we're keeping in mind, and the second  
20 important thing to keep in mind is the  
21 robustness. That really refers to are the  
22 data we're collecting, are they precise

1           enough, are they accurate enough, are they  
2           providing us with what we need to manage the  
3           fisheries? So that really gets to why this  
4           initiative is needed, why now?

5                     It really comes down to the  
6           management need, management stock assessment.  
7           Needs have changed. Management needs have  
8           changed since recreational surveys were first  
9           implemented. The MRFS is now almost 30 years  
10          old and so as those management needs change,  
11          as we face greater demands for more timely and  
12          accurate data, our data collection programs  
13          have to move along with those demands.

14                    So this has been identified, this  
15          initiative has been identified by the Agency  
16          as a very high priority. Bill has said that  
17          this is one of I think two or three things  
18          that he is really trying to accomplish before  
19          he retires. And the priority has been fueled  
20          and raised a few notches by an independent  
21          review that the Agency commissioned about a  
22          year and a half ago.

1           A report came out by the NRC which  
2           didn't necessarily tell us things that we  
3           hadn't already been looking at. A lot of  
4           their comments, a lot of their potential,  
5           biases identified and potential improvements  
6           are things that folks in my office and folks  
7           that are partners in the states and the  
8           commissions and so on, have been aware of, but  
9           until it's raised to that level, that priority  
10          level where it's getting the attention that it  
11          deserves, it's very hard to get the funding  
12          and the resources. So the NRC review did  
13          bring attention to a lot of those issues at a  
14          national level.

15                 And if that wasn't enough, on the  
16          heels of the NRC review came the  
17          reauthorization of Magnuson and written right  
18          into the reauthorization it specifically says  
19          our mandate is to improve recreational  
20          fisheries data collection programs and they  
21          gave us a nice little time line by January 1,  
22          2009 which was a point of contention. But it

1 really kind of spurred the whole process on,  
2 that we couldn't delay on this.

3 And so the congressional mandate,  
4 in addition to specifying that we improve  
5 recreational data collection, it also  
6 mentioned something about a national registry  
7 of saltwater anglers. So those are sort of  
8 the two things that we're focused on in terms  
9 of the mandate.

10 So what is the process? What do  
11 you need first to get the ball rolling? I  
12 think the answer should be fairly obvious. We  
13 need money, right?

14 You can't really do anything  
15 without additional funds. The Agency has  
16 backed us on this. Bill Hogarth has committed  
17 \$2 million in this first year to this  
18 initiative. In Fiscal Year '08, it's \$3.5  
19 million and with the promise of as these pilot  
20 projects and new studies get going, in future  
21 years that money should, I would expect, even  
22 increase when you consider the task of what

1 we're being asked to do.

2 The second thing you need is good  
3 people. So as far as resources you need  
4 money, but you also need the right people, so  
5 getting the right people on the bus, so to  
6 speak, was the second task and as part of  
7 this, Bill went out and recruited two former  
8 state directors to head up a couple of the  
9 teams, the saltwater registry team, Gordon  
10 Colvin is now with us working here in  
11 headquarters and we have Pres Pate is the  
12 chair of the operations team.

13 So in addition to them, we've got  
14 really the best and the brightest people who  
15 deal with fisheries statistics, who deal with  
16 recreational fisheries on either teams or work  
17 groups that are associated with this  
18 initiative.

19 So here's the overview of sort of  
20 the structure that we're working under. At  
21 top you have sort of oversight and the  
22 steering committee. Under the steering

1           committee, as I mentioned, you've got the  
2           National Saltwater Angler Registry Team which  
3           Gordon Colvin is the chair; the Operations  
4           Team, Pres Pate is the chair; and the  
5           Communications and Education Team which Forbes  
6           Darby is chairing. Communications and  
7           Education is going to be critical to this  
8           whole process.

9                         What we're trying to achieve is  
10           not only to produce an improved recreational  
11           data collection program, but also to win back  
12           or strengthen the confidence of our  
13           constituents, of our stakeholders, and by  
14           listening to them, the communication really  
15           works both ways, so we're going to have many  
16           points of access into the process for  
17           constituents, for stakeholders, and also try  
18           to educate them on what we're doing at each  
19           step of the way.

20                        And then operating under the  
21           operations team, we have the five work groups  
22           that are going to get down into the sort of

1 nitty gritty of the technical aspects. The  
2 Analysis Work Group is mainly focused on  
3 looking at the current data collection  
4 programs and focused on what are the biases or  
5 potential biases in those programs? How could  
6 we possibly improve the current programs that  
7 we have. The Design Work Group, their focus  
8 is more on what are some new approaches,  
9 innovative methodologies that we can implement  
10 that we're not doing? And as part of that,  
11 the Design Group will work closely with the  
12 Registry Team because the Registry which  
13 imagine like a phone book of saltwater anglers  
14 is seen as a tool that can be used to survey  
15 the angling population. So we'll use that as  
16 our sampling frame and that's seen as a new  
17 approach.

18 Now for those of us who are  
19 familiar with the Large Pelagic Survey or For  
20 Hire Survey, we're already doing that. We've  
21 got a director of for hire vessels. We have  
22 an HMS permit that allows us to efficiently

1 sample that population. But for the rest of  
2 the anglers out there, we really don't have  
3 that.

4 Now a lot of states have licenses  
5 and Gordon is going to be working closely with  
6 the states to try to see, well, what are the  
7 minimum requirements that states would need to  
8 be exempt from the national registry? So if  
9 a state can meet those requirements, then they  
10 would get an exemption because we're not going  
11 to make other anglers have to get a federal  
12 and a state license if we don't have to.

13 Okay, so just to give you an idea  
14 of the people that are involved and the  
15 diversity, so we focused on regional  
16 diversity. We wanted to make sure that every  
17 region and subregion was appropriately  
18 represented. And there's also diversity in  
19 terms of we have council folks, we have  
20 commissions, NOAA fisheries. And Bob Fletcher  
21 represents MAFAC, so that's sort of the  
22 fishing industry or constituent input at the

1 executive steering level.

2 But also on the operations team,  
3 we've got a diverse group of people  
4 representing the states, the commissions,  
5 councils, and so on.

6 I'm not going to go through each  
7 work group, but for this group anyway, I  
8 wanted to just show you who is on the Highly  
9 Migratory Work Group, and the Highly Migratory  
10 Work Group does have a lot of folks from NOAA  
11 Fisheries, but that seems to make sense given  
12 the nature of fisheries management for highly  
13 migratories. We did try to get some people  
14 from the states as well as fishing industry  
15 representatives. And so Ron Coddington who is  
16 on this panel has agreed to help us out and be  
17 part of that work group.

18 So I'm going to talk a little bit  
19 more about -- well, getting back to the  
20 process, once you've got the people and you've  
21 got the commitment for funds, really the next  
22 step is to identify what are the issues,

1           answering the important questions. And the  
2           important questions are what are the problems  
3           with the current programs? What are they not  
4           providing us that data, that the management  
5           needs, that management is requesting? And  
6           where are the gaps in data collection? And so  
7           the five work groups met for the first time  
8           this past August in Florida to start to  
9           address some of these questions.

10                         So the rest of my time I'm going  
11           to focus on what the HMS Work Group has been  
12           up to since that meeting, since we met in  
13           Florida. And our charge from the Operations  
14           Team is twofold. It's fairly simple. One is  
15           to look at the current data collection  
16           programs we have. So this includes the Large  
17           Pelagic Survey, the recreational billfish  
18           survey. We've got catch card programs in  
19           North Carolina and Maryland. We've got the  
20           ALRS, automated landings reporting system, as  
21           well as you can extend that to the For Hire  
22           Survey, the MRFS, all those surveys collect

1 data on highly migratory species. So evaluate  
2 the current programs, what are the potential  
3 biases, look at what NRC said, look at the  
4 recommendations that came from the Operations  
5 Team and see where we can make improvements.

6 But the second part of this which  
7 has been identified as a high priority by both  
8 the Operations Team and by folks in particular  
9 regions is to expand HMS data collection  
10 programs.

11 I work on the Large Pelagic  
12 Survey, but as most of you know that survey  
13 ends in Virginia. So from Maine through  
14 Virginia, we've got a specialized survey that  
15 focuses on catching effort of large pelagics.  
16 But you talk to people in the Gulf and they'll  
17 bring that up as this is a high priority for  
18 us, we need a better handle. It's not that  
19 we're not getting any estimates. We're  
20 getting in the For Hire Survey, the MRFS,  
21 there are some other programs down there, but  
22 when you start to look at the precision on

1           that data and start to think about issues of  
2           accuracy and are we really capturing or do we  
3           have a handle on that fishery, the answer  
4           usually is no.

5                         We need to expand data collection  
6           programs for highly migratory species.  It's  
7           a specialized, these are specialized fisheries  
8           and if -- maybe 1 out of every 100 fishing  
9           trips taken nationwide targets a highly  
10          migratory.  You're not going to do a good job  
11          of capturing that in a general, all species  
12          survey.  So that's why there's this need for  
13          specialized approaches.

14                        So after the meeting in Florida,  
15          the HMS work groups had a few conference calls  
16          and we start to get to work on specific  
17          project plans.  I wanted to point out that  
18          these are four plans that we're proposing to  
19          the Operations Team for Fiscal Year '08, but  
20          this isn't the whole list of things that we're  
21          evaluating.  Our charge, what we were told is  
22          for this fiscal year, come up with some

1 projects that you can realistically implement  
2 in this year, that you can get going, so we  
3 can show some improvement, but that's not to  
4 say that this is the last chance to submit  
5 projects under this process.

6 One of the projects is to evaluate  
7 the current methodology for sampling  
8 tournaments in a Large Pelagic Survey. The  
9 way we currently sample tournaments is just  
10 part of our random draw, so we have fishing  
11 sites and we group sites into clusters and  
12 then we look at each cluster in terms of what  
13 is the fishing effort at that cluster? We  
14 give it a pressure, an effect pressure by  
15 which we then weight our sample. So fishing  
16 sites like Ocean City, Maryland, the fishing  
17 center would get a very high pressure and is  
18 more likely to be drawn in our random  
19 selection than a much lower pressure site.

20 With tournaments, the current way  
21 we're doing this is if a tournament is drawn,  
22 then it's just part of that random selection.

1 We don't currently weight tournament days. We  
2 don't give them any more weight than another  
3 day. So this is something we're looking at.  
4 Are there ways we can improve the way we  
5 handle tournaments?

6 Another approach would be we have  
7 the RBS, the Recreational Billfish Survey.  
8 And that's sort of an attempt at census of all  
9 tournaments that target billfish. So one  
10 suggestion that may come out of this project  
11 is maybe we should consider trying to expand  
12 that, to include all tournaments and then  
13 treat tournaments separately than  
14 nontournament trips. Pull them out of the LPS  
15 estimates and try to come up with a separate  
16 estimate.

17 I'm just throwing out ideas, but  
18 this is something that we know we need to look  
19 at. We need to look at are we sampling  
20 tournaments in proportion or representative to  
21 their occurrence, their frequency?

22 The second project is, as I

1 mentioned, the expansion into the Gulf of  
2 Mexico and also the South Atlantic because  
3 currently LPS does not cover North Carolina  
4 through Florida. So we're going to look at  
5 the charter boat fishery, and this project is  
6 not so much to design a whole new survey  
7 because we're still viewing this first year as  
8 pilot studies or just characterization  
9 studies. We have the For Hire Survey in place  
10 and what we're thinking here is to add a few  
11 questions to the existing For Hire Survey, the  
12 telephone portion of the For Hire Survey, to  
13 help us characterize the HMS fisheries  
14 specifically.

15 Third project is a similar thing,  
16 but focusing on private boats. So folks with  
17 the HMS angling category permit are going to  
18 be asked a series of questions that we hope  
19 will get us and this I should give credit to,  
20 Dave McGowan in Florida is the project team  
21 lead. This was driven by Florida's real need  
22 and identification of the need to get a better

1 handle on the swordfish fishery. So it  
2 started out as what can we do for swordfish,  
3 but as we started talking about it, we thought  
4 well, as long as we're doing this survey,  
5 let's see if we can collect data on other  
6 species as well. And so just expand it, but  
7 it's still considered a pilot. We're not  
8 going to be coming up with catch estimates.  
9 We're going to get some idea of effort, but  
10 really, we're trying to characterize who is  
11 fishing, what are they targeting, what kind of  
12 sites are they returning to, are they fishing  
13 at night, what time are they coming back,  
14 things like that that will help us if we want  
15 to go ahead to develop a full-blown survey in  
16 future years.

17 And the fourth project that we  
18 came up with is to take a look at the  
19 Caribbean. I've been working specifically  
20 with folks from Puerto Rico on developing some  
21 type of pilot project to identify what are we  
22 missing in Puerto Rico? And of course,

1 everyone thinks of blue marlin. That has to  
2 be the first thing that comes to mind. Can we  
3 get a better handle on particularly private  
4 boat fishing for blue marlin, but other  
5 species as well. And so we're working closely  
6 with the territory down there to see what we  
7 can implement for this year.

8 Now when I showed you the five  
9 working groups, you can start to think about  
10 issues that may overlap, you know, different  
11 working groups. Because obviously for hire  
12 boats fish for HMS species and if the Analysis  
13 Working Group is looking at biases due to  
14 private access, that's going to affect, that  
15 could potentially affect HMS fishing. So we  
16 recognize that the charges to the work groups  
17 are not mutually exclusive. There is overlap.  
18 So I did want to point out some of the  
19 projects or some of the issues that other work  
20 groups are looking at that will most probably  
21 impact or have an effect on the HMS data  
22 collections.

1                   The Analysis Work Group and this  
2                   is a big one really for any dockside survey,  
3                   any intercept survey that you do, you've got  
4                   concerns about the people you're missing, the  
5                   people that are keeping their boat on their  
6                   own private, on their own private dock.  
7                   You're not going to get them in a regular  
8                   dockside interview because generally we sample  
9                   at public access sites. There's also night  
10                  fishing. If you look at our data, most of our  
11                  sampling takes place between 3 p.m. and  
12                  probably 8, 9 p.m., the typical hours when  
13                  you're going to get the most interviews. But  
14                  what about the guys that coming in in the  
15                  middle of the night, or coming in early  
16                  morning from an overnight trip? So the  
17                  Analysis Group is looking into these issues.

18                  Evaluate whether estimation  
19                  procedures appropriately match sample design,  
20                  this is a statistical issue that I'm not going  
21                  to get into the specifics of, but it really  
22                  has to do with are we sampling representative

1 to where the fishing effort is, so ideally if  
2 you have two sites, one site has 100 fishing  
3 trips return that day and another site has got  
4 50, you want to sample in proportion, a 2 to  
5 1 proportion to that effort.

6 Because of the way the sample  
7 design works, we don't -- we know we don't  
8 always achieve this. We also are trying to be  
9 very efficient in the field and we're trying  
10 to sample where we can. And our design does  
11 make an effort to sample proportional to  
12 effort, but we know that in some cases it's  
13 not always the case and what the NRC  
14 recommends is we should look into what is the  
15 potential bias for this, can we correct for  
16 that bias by weighting our data? So you can  
17 do stuff to your data after you've done your  
18 data collection to weight your data  
19 appropriately to account for that bias. So  
20 that's something that's also being looked at  
21 and could potentially affect the Large Pelagic  
22 Survey and other surveys.

1                   The For Hire Work Group is  
2                   exploring options for electronic reporting as  
3                   well as log books. So while we may be looking  
4                   into the possibility of expanding the LPS into  
5                   the Gulf or doing something with a survey in  
6                   those areas, the For Hire Group has also  
7                   identified the methodology of log books or  
8                   electronic reporting so it's not that we're  
9                   competing with other working groups, but you  
10                  should understand that two working groups  
11                  could be working on issues that are addressing  
12                  the same problem and at some point we're going  
13                  to have to work closely with each other and  
14                  determine well, what is the best approach in  
15                  moving forward?

16                  And the other issue -- I mentioned  
17                  that we're going to be working with Puerto  
18                  Rico on looking at private boat fishing for  
19                  HMS, but the For Hire Group is also working  
20                  with Craig Lilistrom (Phonetic) is taking the  
21                  lead on this in Puerto Rico to look at  
22                  improving the data collection for charter

1 boats and head boats in Puerto Rico.

2 So I just want to give you an idea  
3 of what's coming up next in this process.

4 These projects that I've been talking about,  
5 the proposals are due October 15th to the  
6 Operations Team. And then Operations Team  
7 will meet at the end of December to evaluate  
8 the proposals and make suggestions for which  
9 ones they think should get funded up to the  
10 Executive Steering Committee. So the whole  
11 thing is moving at a lightning-fast pace, but  
12 a lot of that is not our choice. In fact, all  
13 of it is not our choice. It's dictated by the  
14 mandate we've been given.

15 There's also a proposed rule that  
16 will be coming out late fall for the National  
17 Saltwater Angler Registry. And I'd encourage  
18 you to talk to Gordon Colvin if you have more  
19 questions about the specifics of this rule,  
20 but as I mentioned, part of this is going to  
21 be -- a big part of it is going to be looking  
22 at what is the threshold that states have to

1 meet to get an exemption on this? Because  
2 most states already have something in place  
3 with the exception of really the Northeast  
4 area of the country.

5 States don't want to have their  
6 anglers have to go through the whole National  
7 Registry thing if they can avoid it. We're  
8 trying to get the states up to speed to get  
9 them to provide us with the minimum data  
10 elements that we need so we can use this as a  
11 sampling frame.

12 And finally, hopefully beginning  
13 in early 2008, once the projects are approved  
14 and the funding is approved, we'll get going  
15 on some of these pilot studies and that will  
16 really be the first step towards getting the  
17 information we need to start changing the  
18 program. So it's not going to happen  
19 overnight. We're not going to have a final  
20 product by January 1st for Congress, but  
21 January 1, 2009, but we will have -- we're  
22 sure we'll have something that's better than

1           what we've got now and the idea is to  
2           continually improve on it over time.

3                         And I've got handouts up on the  
4           table which kind of go through some of the  
5           process and what we've done to date, but also  
6           we have a website which we're trying to keep  
7           updated to keep the constituents and our  
8           partners and everyone involved and informed  
9           with what we're doing in this process.

10                        With that, I think I'll just open  
11           it up for questions.

12                        PARTICIPANT:   Okay, Gail, Dick,  
13           and Lisa.

14                        MS. JOHNSON:   Thanks, Gail  
15           Johnson.   What happened to ACCSP?   Is that a  
16           different tract?   And if it is, how are you  
17           going to integrate with that or will you?

18                        MR. SALZ:   Right, ACCSP is what we  
19           consider a data warehouse.   They're trying to  
20           collect all the data from the different states  
21           and make sure that the standards, you know,  
22           they're all in the same format and can be used

1 interchangeably. And we in the Division are  
2 working closely with ACCSP. We don't want to  
3 reinvent the wheel. They've already done a  
4 lot of this stuff. A lot of the -- if you  
5 look at the charge for the Data Management  
6 Work Group, particularly, they've already done  
7 a lot of that. And there's similar work  
8 groups in the Gulf Fin, for example, and also  
9 on the West Coast that have addressed some of  
10 these issues.

11 So this is a national effort, but  
12 we certainly are going to work closely and if  
13 you look at the membership too, there's a lot  
14 of the same people involved. So it's not like  
15 anything that ACCSP has done to date is going  
16 to be forgotten or ignored. I think to the  
17 contrary, we're going to be relying on ACCSP,  
18 on programs like FIS, Fisheries Information  
19 System, you know, it's not like we're starting  
20 from scratch with a lot of these tasks.

21 Thanks.

22 PARTICIPANT: Dick and then Lisa.

1                   MR. STONE: Dick Stone, National  
2 Marine Manufacturers Association.

3                   I'm glad Gail asked about ACCSP  
4 because up until just this coming meeting, I  
5 was the chair of the Advisory Committee for  
6 the ACCSP and did have some concerns because  
7 I didn't feel like ACCSP really was taking HMS  
8 that seriously. I think one of the problems  
9 is there's a lot of things going on, but I'm  
10 glad to see that certainly you said we're  
11 going to work closely with ACCSP.

12                  The other thing I want to comment  
13 on is that I think there are census programs.  
14 You emphasized mostly survey efforts and there  
15 certainly are census programs which can be  
16 used for some species and I think should be  
17 used for some species and certainly North  
18 Carolina and Maryland have been good examples  
19 of where census programs can be used in the  
20 bluefin tuna fishery. I think certainly for  
21 billfish, probably swordfish there, there are  
22 other programs where census programs ought to

1           be at least listed along with survey in terms  
2           of things to be considered.

3                         Also, I was happy to hear you at  
4           least acknowledge the for hire and the  
5           potential to look at BTRs, log books, again,  
6           a census program in the for hire or perhaps a  
7           combination of census and surveys since I did  
8           some work on that a number of years ago and  
9           looked at the For Hire or the LPS versus log  
10          book programs and found there can be  
11          considerable difference. So perhaps a  
12          combination of those two, both the survey and  
13          census would -- but certainly for head boats,  
14          where you have a small universe, where you  
15          have a very small universe, I feel very  
16          strongly that census is the way to go because  
17          the smaller the universe, and the more diverse  
18          the trips might be, the greater the chance for  
19          bias is from survey versus census program.

20          Thank you.

21                         PARTICIPANT: Thanks, Dick. Go  
22          ahead, Ron.

1                   MR. SALZ: Yes, in addition to  
2                   looking at census versus survey, it's not  
3                   always one or the other. We're also looking  
4                   at dual frame approaches. And we've actually  
5                   started to implement some of that with the  
6                   VTRs, so not every boat submits a VTR, but we  
7                   can use some of that data, integrate it with  
8                   the For Hire Survey data, and this is  
9                   something I hear about because I get calls  
10                  every week from charter boat guys who are  
11                  concerned about the burden, you know, and the  
12                  double counting, and the fact that they're  
13                  turning in the same reports three different  
14                  places. And so we are aware of that, and  
15                  we're trying to integrate the different  
16                  programs where we can so that we can reduce  
17                  that burden and so dual frames are definitely  
18                  something we're looking at.

19                  PARTICIPANT: Thanks, Ron. Lisa,  
20                  then Tom, and then Pat.

21                  Lisa is going to pass. Tom, go  
22                  ahead, and then Pat.

1           MR. DePERSIA: I think he answered  
2 part of it, but you know, is there going to be  
3 protection here that we don't get overlapping?  
4 We file the VTRs. I go on the National Marine  
5 Fisheries Service permit site to report my  
6 tuna catches. We've got people at the gas  
7 stock when we pull in, want to get numbers.  
8 When we pull to the marina, we've got people  
9 over there. I've got people calling me up at  
10 home. I mean what kind of protection is there  
11 that we're not overlapping and our quota is  
12 going to get eaten up because they're counting  
13 the fish two or three times, the same fish two  
14 or three times?

15           MR. SALZ: Those protections are -  
16 - the programs that you mentioned are used for  
17 different purposes. And so if you look at the  
18 Large Pelagic Survey, they'll get you at the  
19 dock for an interview and they'll also call  
20 you on the phone. The dockside we use mostly  
21 for our catch, catch rates, whereas the phone  
22 is -- are primarily used for effort. So

1           that's where they're more interested in your  
2           trips. So those two work together,  
3           complementary. There's no overlap, even  
4           though I know they'll ask you a few catch  
5           questions on the phone. None of that catch  
6           data they ask you on the phone is getting used  
7           for our catch estimates. It's used for  
8           different purposes. Folks in the Southeast  
9           Center are using it for stock assessment. It  
10          gives us more data, but it's not double  
11          counting.

12                         The same thing with like the VTRs.  
13          VTRs are not used for catch and effort in that  
14          sense. And so I think -- I could say pretty  
15          assumably the way it's working now we're very  
16          much on top of the double counting issue and  
17          we're making sure that there is -- there is no  
18          double counting when it comes to reporting for  
19          monitoring purposes.

20                         But the burden is another issue.  
21          Still, the fact that you have to fill out a  
22          VTR and also do an interview, that's a whole

1 other issue that I also hear about, and that's  
2 something that hopefully we're going to be  
3 looking at.

4 PARTICIPANT: Pat, go ahead.

5 MR. AUGUSTINE: Pat Augustine.

6 Thank you very much, Ron.

7 A question. You talked about  
8 filling the gaps, so to speak, where night  
9 fishermen and private access folks would now  
10 be pulled into the loop and hopefully it will  
11 be by some registry form. In the meantime  
12 though we still have what is the remnants or  
13 what is MRFS. There are gaps in data  
14 gathering in the present process. That  
15 particularly relates to those months that are  
16 not surveyed at all. I'll use our State of  
17 New York as an example. We don't know of any  
18 surveys that are conducted during the cold  
19 months which would be January, February, and  
20 possibly March. And there is activity going  
21 on. I'm just wondering if those gaps will be  
22 picked up. Most of the people in Florida,

1           needless to say from New York fishing, but  
2           those in New York are not picked up as with  
3           night fishermen. I'm wondering will there  
4           will be any effort made to improve the data  
5           gathering presently going on with MRFS until  
6           the new program kicks in?

7                         MR. SALZ: Okay, yes, that's a  
8           good point. Until the new program is fully  
9           implemented, we still are relying on the MRFS.  
10          As far as data gaps, that was identified as a  
11          recommendation coming out of the NRC and also  
12          at the Denver workshop.

13                        I can tell you it's not considered  
14          -- we had to prioritize what we're going to  
15          tackle first. Where do we think the biggest  
16          potential biases are or the biggest gaps. And  
17          so when you look at January, February, March  
18          in New York, we know we're missing something,  
19          right? I fished -- I used to live in New York  
20          and I have fished in January and February.  
21          But when you think about what that may add up  
22          to versus the potential bias for private

1 access fishing which could make up 25, 30  
2 percent of all trips, you know we had to  
3 prioritize.

4 So in the meantime, we are still  
5 going to use the MRFS and we are gradually  
6 going to implement changes, so it's not going  
7 to happen over night.

8 PARTICIPANT: Thanks. Ron and  
9 then Dick and then John.

10 MR. CODDINGTON: Just a comment  
11 from our side. One of the things we're trying  
12 to focus the work group on in Florida and we  
13 know this is not a species specific survey,  
14 but I know how much criticism the recreational  
15 fishery has taken on the reporting of  
16 swordfish. We all know how important it is  
17 right now that we -- it's bad enough if we  
18 have to go to ICCAT and lose quota because we  
19 didn't catch fish, but to lose quota for fish  
20 we're catching and not reporting is criminal.  
21 It probably is criminal, as a matter of fact  
22 or at least civil.

1 (Laughter.)

2 And of course, that fishery being  
3 a night fishery, I can tell you out of the 100  
4 or 150 active and partially active swordfish  
5 club members, very few of them have ever had  
6 any kind of survey taken of them. We know  
7 we're missing. We have some gaps in releases.

8 Another big gap we have in the HMS  
9 fishery down there is a lot sailfish anglers  
10 are typically release anglers. Very few  
11 people keep sailfish and a lot of them don't  
12 have HMS permits. They're fishing in state  
13 waters and they don't keep the fish. So  
14 there's a big gap there that we're going to  
15 try to catch.

16 Of course, the night fishery,  
17 private dock, private boat, night fishery and  
18 limited ability for the enforcement division  
19 to know when somebody catches a fish. Of  
20 course, if somebody gets pulled over on the  
21 way in in the inlet, they're going to call  
22 that fish in, of course, but we know there's

1 a lot of fish that aren't called in. So  
2 that's one of the things I'm trying to help  
3 the work group focus on in this survey is to  
4 pick up specifically the sailfish that are  
5 caught in state waters and the effort on  
6 sailfish in state waters and of course, let's  
7 grab those swordfish that we know we're  
8 catching before we lose that part of the quota  
9 also. And of course, establish the historical  
10 recreational fishery and characterize it.

11 PARTICIPANT: Thanks, Ron. Dick  
12 and then John.

13 PARTICIPANT: Ron, just a quick  
14 question. You mentioned project proposals  
15 were due by the end of October, who is that,  
16 government or state, who's submitting those  
17 proposals or who is allowed to submit  
18 proposals? Thanks.

19 MR. SALZ: Yes, the proposals are  
20 coming from the work groups, so that's how  
21 they're getting submitted.

22 Now there are opportunities for

1 non-work group members to suggest topics for  
2 work groups to look at. So it's not like it's  
3 an exclusive club, but at least in this first  
4 round, proposals will be coming from the work  
5 groups to the operational team.

6 PARTICIPANT: Thanks, Dick. Go  
7 ahead, John.

8 MR. GRAVES: John Graves, ICCAT  
9 Advisory Committee. Nice presentation, Ron.

10 My comments are very similar to  
11 Ron's about swordfish, and I think it is  
12 criminal that we're shooting ourselves in the  
13 foot by not reporting fish that we are, in  
14 fact, taking the swordfish.

15 You mentioned that the private  
16 landing investigation you're going to do down  
17 in Florida wouldn't lead to making any  
18 estimates of catch. My comment is why not?  
19 I realize it may not have the precision or the  
20 accuracy that you would like, but right now,  
21 the United States has what, 280 swordfish  
22 reported from the recreational fishery? I

1 mean -- 272, okay. So you're looking at what  
2 may happen in a weekend has actually been  
3 reported.

4 And if we're going to go to ICCAT  
5 next year and lose quota, we want to make the  
6 best case we have and the most legitimate case  
7 for what we're actually catching.

8 We're allowed to go ahead and to  
9 change our landings and even how we've  
10 reported them at SCRS, but the way that we  
11 have to do it is to submit a methodology to  
12 SCRS that shows why we changed and SCRS  
13 usually just gives it a rubber stamp,  
14 especially from the U.S. And so we can, in  
15 fact, next year before the ICCAT meeting if  
16 you guys have the infrastructure in place to  
17 at least make an estimate that no matter what  
18 it is it's going to be a whole lot better than  
19 272 fish, we damn well should do it.

20 We can go back with the effort and  
21 you can -- there's a lot of things we can do,  
22 but I think we'd be really foolish not to

1           pursue that avenue, and I realize that  
2           accelerates you as a scientist from putting  
3           what you like to have as a finished product  
4           out there, but consider the damage to the U.S.  
5           if we don't put anything out there.

6                       MR. SALZ: That's an excellent  
7           point. I think what you said last about the  
8           time frame really is what we're up against.  
9           The idea for this year was to do a telephone  
10          survey. If we're going to collect catch data  
11          and product catch estimates, we would want to  
12          do something dockside. There's a whole lot of  
13          literature out there that says you should not  
14          rely solely on telephone surveys for catch.

15                      And I think particularly when you  
16          start thinking about dockside survey, well,  
17          yes, we could maybe go ahead and implement LPS  
18          down there, but from what I'm hearing, LPS may  
19          not work in its current structure because  
20          we've got night fisheries. We've got private  
21          access. This is a fishery that we feel like  
22          before we implement a full-blown survey, we

1           need more information as to how to do that.

2           We need to characterize the fishery first.

3                         We are going to ask catch  
4           questions on the phone, even though I just  
5           said it's not good to use it as official  
6           estimates. While we've got them on the phone,  
7           of course we're going to ask about catch, but  
8           my point was we're not endorsing those as --  
9           I don't know if we're going to produce an  
10          estimate. It's yet to be decided, but we're  
11          not endorsing that as an official catch  
12          estimate until we could really take the time  
13          that's needed to develop a dockside survey  
14          that complements the phone survey and will  
15          give us what we think are accurate estimates.

16                         PARTICIPANT: John, go ahead.

17                         MR. GRAVES: Thank you. I  
18          appreciate that, but we may be in a situation  
19          very similar to what we did with billfish by  
20          saying well this is our reported catch of  
21          billfish by using the RBS survey and then  
22          realize that maybe there's more than that

1           caught in Puerto Rico alone and we're going to  
2           have to close this thing down.

3                         So we may be finally getting  
4           around to closing the barn long after the cows  
5           are gone. And so what I think, you know, I  
6           think a recommendation -- and I sense from  
7           this group if you wanted to do it is that that  
8           should be done and that the resources within  
9           the Agency should be allowed to do that. And  
10          if you need help, I can certainly provide the  
11          weight of the Advisory Committee, the ICCAT  
12          Advisory Committee. And I'm pretty sure the  
13          general sense in this room is that we would  
14          like to have our best possible accounting of  
15          the recreational swordfish catch.

16                        So if you need help -- because you  
17          don't have the resources at this time or it's  
18          going to take another five FTEs and you're  
19          going to have to do this and you're going to  
20          need another \$500,000 or something, that isn't  
21          necessarily insurmountable. It could be as  
22          you go to your direct superior, but there's a

1 lot of clout in this room and I think you  
2 could find that you'd have the help you need.  
3 But I think it is critical that we get -- we  
4 have our best estimate of what the true U.S.  
5 catch is before we go to ICCAT next year.

6 PARTICIPANT: Thanks, John. Dick  
7 and then Russ.

8 PARTICIPANT: Just quickly, I  
9 agree with John, and I think back to looking  
10 at yellowfin, for instance. There were a  
11 number of years where just looking at actual  
12 logbook data, not even extrapolating it out,  
13 there were thousands of -- there was  
14 significant catch of yellowfin that wasn't  
15 picked up by the LPS or other surveys.

16 When we go to ICCAT, as John says,  
17 and have to list our supposedly historical  
18 catches, if we underestimate our historical  
19 catches, then obviously we get left out when  
20 the allocation rolls around.

21 (End of Tape 13, Side A; begin  
22 Tape 13, Side B.)

1                   PARTICIPANT:    Responding to John's  
2                   point, we're going to have a conference call  
3                   with the HMS Work Group next week to look at  
4                   our proposals before we submit them and you  
5                   know I think that's something that I'd like to  
6                   raise with the group.    I think Ron probably  
7                   knows a lot more about the swordfishery than  
8                   anyone else on our working group, and I'd like  
9                   to hear his ideas on is that something that we  
10                  can even get going for this current year?  
11                  When does the fishery start?

12                  PARTICIPANT:    Fishery's every  
13                  night.    If the wind isn't blowing, they're  
14                  fishing.    It's a year-round fishery.    There  
15                  are peaks and valleys in the fishery, but it's  
16                  a year-round fishery right now.

17                  One of the things I think we need  
18                  to do immediately is we need to look at what  
19                  we're proposing with Dave McGowan's work  
20                  group, and we need to get that information to  
21                  John and see if with some minor modifications  
22                  can we get it to where we've got a comfort

1 level that even with the inherent inaccuracies  
2 in a telephone survey can we get something  
3 that's better than what we got now that you  
4 can carry to ICCAT? And we realize, I know  
5 one thing is better than -- as Rich calls them  
6 my cocktail napkin estimates, and we've tried  
7 to get you to take the cocktail napkin  
8 estimates to ICCAT so with a few  
9 modifications, maybe we can use that survey to  
10 not do what the work group was originally  
11 planning on because this was originally a  
12 characterization of the fishery, but if we can  
13 grab some data, they need it at ICCAT right  
14 now or the U.S. delegation is going to beat up  
15 next year.

16 PARTICIPANT: Thank you.

17 MR. CODDINGTON: I just want to  
18 add that the work group is set up and it's  
19 certainly not closed to new members, but even  
20 if you didn't feel like you have the time to  
21 actually be a member of the work group these  
22 individual projects have project teams

1 associated with them. If any of you want to  
2 get involved with one of the particular  
3 projects, you know, please let me know or let  
4 Ron know or someone on the work group and we  
5 can definitely get you in on that level of the  
6 process. So you know, I feel strongly about  
7 encouraging that.

8 PARTICIPANT: Thanks, Ron. Russ?

9 PARTICIPANT: I share the sense of  
10 urgency that John and others have demonstrated  
11 here. I'm also on the Analysis Working Group  
12 for this project. The SCRS is already at  
13 ICCAT.

14 PARTICIPANT: (Inaudible.)

15 PARTICIPANT: That's good. I  
16 thought we were talking about this year. I  
17 think that -- yes, exactly. I think that  
18 there is a potential to do something, and  
19 we've interacted some with the HMS group. The  
20 State of Florida, well, you have probably  
21 already talked about this in that group, but  
22 the State of Florida uses sub-samples of

1 licenses to make estimates of spiny lobster  
2 catch. They're lucky in that respect because  
3 they have, if you want to go after spiny  
4 lobsters, it's not just a fishing license, you  
5 have to have the separate stamp so that that  
6 universe is more accurately identified. But  
7 certainly the license base in the State of  
8 Florida stratified to the southeast coast, the  
9 zip codes and all, might provide the means of  
10 doing something within the next year.

11 I think that it's very doable for  
12 2008. I was a little alarmed with I thought  
13 we were going to try to slam something  
14 together to jury rig and take to ICCAT in the  
15 next month and a half or so. We really want  
16 to avoid that.

17 PARTICIPANT: (Inaudible).

18 PARTICIPANT: I think using the  
19 telephone estimates to look at the telephone  
20 reporting that has come in, if there was some  
21 kind of telephone survey asking people  
22 frequency of fishing and the amount they were

1 catching. That could be compared to the -- I  
2 think it would not function -- well, it could  
3 be helpful to the repair of MRFS, to the  
4 objectives of the MIRP, but I think it would  
5 need to be considered in the context of being  
6 something that's vitally needed and fast. And  
7 it would give us information that would be  
8 helpful with the MIRP. It would probably be -  
9 - its motivation would be primarily because of  
10 our needs at ICCAT.

11 PARTICIPANT: Thanks, Russ. Rich?

12 MR. RUAIS: Rich Ruais, I think  
13 this is terrific and obviously for November of  
14 2008 could be very useful. But I would  
15 caution, we have tried to get ballparks from  
16 the experts in the area. I think Vinnie and  
17 Ron and your friend with the ponytail, Kip, at  
18 one of the last AP meetings sat around and  
19 tried to come up with number of boats, number  
20 of trips, maximum catch per day and they were  
21 -- the estimates ranged from somewhere around  
22 125 tons to maybe 175 tons or something like

1           that. So it's not -- it's important. Every  
2           pound counts. And if it's increased over time  
3           and you're up to 200 tons, terrific, but we're  
4           still not putting a dent in the incidental  
5           catch category let alone the -- that's enough  
6           said. It will help.

7                           PARTICIPANT: Okay, thanks. I  
8           think that's it. I don't have anybody else on  
9           the list.

10                          Ron, thank you, very much.

11                          I'm going to suggest -- you've  
12           been at it for an hour and 15 minutes. We  
13           drove you beyond the limits of human endurance  
14           yesterday with major lacks of breaks. We'd  
15           like to make it up to you this morning by  
16           allowing you to take about a ten-minute break  
17           now and then we'll get started on the  
18           greenstick presentation. Is that okay? Are  
19           you ready for a break?

20                          (Off the record.)

21                          MR. BLANKINSHIP: Thank you, Paul.  
22           Good morning. My name is Randy Blankinship

1 with HMS in St. Petersburg, Florida, and also  
2 presenting with me is Sarah McLaughlin, also  
3 with HMS in Gloucester, Massachusetts. We are  
4 going to be talking to you about the item on  
5 the agenda that says greensticks, greenstick  
6 presentation, but it's oh, so much more.

7 (Laughter.)

8 We're going to also be talking in  
9 this presentation about several other aspects,  
10 not just about greenstick, a couple aspects  
11 there, but also about harpoons, harpoon  
12 authorization of the charter head boats and  
13 sea turtle handling gear in the pelagic  
14 longline and bottom longline fishery.

15 This AP discussion is a  
16 continuation for the greenstick issue of  
17 several years' worth of discussion of  
18 greensticks. Most recently, continued through  
19 the advisory panel discussion that happened in  
20 March 2007, under which we outlined a time  
21 frame that we would consider greenstick  
22 authorization through the summer of 2007 and

1 plan to have a decision on how to proceed with  
2 authorization by this advisory panel meeting  
3 in the fall. And that's what we plan to do is  
4 talk to you about the proposed -- the planned  
5 proposed rule to authorize greensticks as well  
6 as talk about some of these other aspects.

7 And this is an important time  
8 period right now because we have not proposed  
9 the rule yet, but we are just about to. And  
10 so we look at this as a valuable opportunity  
11 for you all to have input just prior to going  
12 proposed so that we can have the most  
13 appropriate alternatives regarding these  
14 issues and not have to go back and fix major  
15 things later on.

16 That was really the gist of the  
17 reasons for the public information meetings  
18 that we had on greensticks through the summer  
19 which were valuable towards that end as well.

20 NMFS has been considering  
21 greenstick authorization for Atlantic tunas  
22 for quite a while now in response to public

1 requests. And most recently which included  
2 requests from the North Carolina Division of  
3 Marine Fisheries and the South Atlantic  
4 Fishery Management Council. In addition, NMFS  
5 received favorable response from you all at  
6 the March 2007 meeting, and we received  
7 valuable input from stakeholders at five  
8 public information meetings held in June 2007.

9 The rationale for the National  
10 Marine Fisheries Service decision to develop  
11 a proposed rule to authorize greenstick gear  
12 includes consideration of the continued under  
13 harvest of the U.S. bluefin tuna quota, the  
14 prospect of bluefin tuna quota underage  
15 transfers to other contracting nations under  
16 ICCAT recommendation at 0606; the non-  
17 overfished status of yellowfin tuna, which is  
18 the primarily targeted species of greenstick  
19 gear; and the relatively low bycatch rates of  
20 greenstick gear when compared to other gears  
21 used in the fishery such as pelagic longline.

22 NMFS, as I said, is developing a

1 proposed rule to consider alternatives, and  
2 those alternatives may look something like  
3 this, authorize greenstick for harvest of big  
4 eye, albacore, yellowfin, skipjack, and  
5 bluefin tunas by general category, charter  
6 head boat, and longline category. The gear  
7 definition would look something like the  
8 definition that Greg Faircoff (phonetic) spent  
9 quite a bit of time developing and that was  
10 presented in the draft consolidated highly  
11 migratory species FMP in 2005 and 2006. And  
12 that says there would be a line elevated or  
13 suspended above the water surface from which  
14 no more than ten hooks or gangions may be  
15 hung.

16 In addition, there's an issue  
17 related to being able to continue to monitor  
18 fishing activity through greenstick use.  
19 Currently, there is a limited amount of data  
20 available on greenstick fishing activity.  
21 More information is needed to characterize and  
22 to continue to manage this fishing activity,

1           therefore NMFS may consider alternatives to  
2           require data reporting via logbooks for  
3           general category and charter head boat vessels  
4           using greenstick gear.

5                     Atlantic tuna's longline vessels  
6           are already required to report. Such  
7           alternatives may look something like what you  
8           see here. The consideration of alternatives  
9           to require data reporting for users of  
10          greenstick gear in general category and  
11          charter head boat. This potentially may be  
12          for positive reports only. In other words,  
13          those trips where charter head boat and  
14          general category vessels were using  
15          greensticks.

16                    At this time, Sarah is going to  
17          present a couple of slides on harpoon use with  
18          character head boat vessels.

19                    MS. McLAUGHLIN: Thanks. In the  
20          last year, we received a request from General  
21          Category Tuna Association to allow the use of  
22          harpoon gear on charter head boat vessels.

1                   My understanding of this is that  
2                   it would be for use to fill the general  
3                   category retention limit which currently is  
4                   three fish, and the intent would be to provide  
5                   flexibility and efficiency in harvesting  
6                   bluefin, to provide some regulatory  
7                   consistency regarding authorized hand gear  
8                   that have historically been used for the  
9                   commercial harvest of bluefin, and to increase  
10                  opportunities to attain the general category  
11                  quota.

12                  To give you a little history,  
13                  prior to 1995 it was possible for a charter  
14                  head boat permit holder to also hold a harpoon  
15                  permit, and since that time applicants are  
16                  limited to one permit category, so selection  
17                  of charter head boat would preclude you from  
18                  using a harpoon. And a little more history,  
19                  in the '99 final rule for the FMP, we expanded  
20                  the list of gear types authorized for charter  
21                  head boats to use -- to include banded gear  
22                  which is allowed in the general category.

1                   So the potential alternative would  
2                   be to authorize harpoon for use for Atlantic  
3                   tuna fishing on charter head boat vessels, and  
4                   what we could use some input on is whether  
5                   this should be for use on non-for hire trips  
6                   only or for both for hire and non-for hire  
7                   trips.

8                   MR. BLANKINSHIP: Regarding sea  
9                   turtle handling gear, the Agency in  
10                  regulations that came about through the 2004  
11                  biological opinion on the pelagic longline  
12                  fishery require possession on-board vessels  
13                  sea turtle handling and release gears and also  
14                  attendance at workshops to teach folks,  
15                  fishermen, how to use those gears. In  
16                  accordance with that, research conducted by  
17                  the Southeast Fisheries Science Center  
18                  indicated that the use of sea turtle handling  
19                  gear can improve sea turtle post-release  
20                  hooking mortality and may have a benefit for  
21                  increasing safety at sea. Therefore, in  
22                  accordance with that research and provided for

1 by the 2004 biological opinion for the pelagic  
2 longline fishery, the Agency may consider  
3 alternatives to add sea turtle handling gear  
4 to the list of required equipment needed for  
5 the release of sea turtles in the pelagic  
6 longline and bottom longline fishery.

7 Sea turtle handling gear includes  
8 two -- for this case, includes two types of  
9 gear referred to as the turtle tether which up  
10 until this point and currently is recommended,  
11 but not required, and another type of gear  
12 referred to as a turtle grabber or Ninja stick  
13 which is I guess the more common term for  
14 that.

15 And in the pictures here, you see  
16 these are pictures of actually the turtle  
17 tether. In doing some searches around, I  
18 couldn't find a picture of the Ninja sticks,  
19 but I'll describe it for you. If you know  
20 what numchucks are which is not what we will  
21 use on turtles --

22 (Laughter.)

1 Numchucks are two pieces of wood  
2 or metal that are long and thin connected by  
3 a chain or rope. Well, when they refer to  
4 Ninja sticks here that is a long piece of PVC  
5 pipe usually, long enough for the free board,  
6 considering the free board of the vessel to  
7 allow that to be put over the side down to  
8 where a turtle may be. The end of the long  
9 pieces of PVC are connected by a rope.  
10 Therefore they look like a long set of Ninja  
11 sticks, but you don't use them to beat a  
12 turtle. You use them to hold on to the  
13 turtles fin in a twisting motion so that you  
14 can grasp the turtle's fin and hold it while  
15 you try to remove the fishing gear from it.  
16 Basically, it operates in that sense much like  
17 the turtle tether does. So sorry I don't have  
18 a picture of it. There's a visual picture.

19 The time line for this proposed  
20 rule is that we expect the proposed rule to be  
21 available and published later this fall of  
22 2007. Public comment period and public

1           hearings for the proposed rule would be in the  
2           winter of 2007 and '08 with a final rule  
3           expected in spring of 2008 in time for the  
4           2008 tuna fishing season which usually begins  
5           in late May or early June.

6                         In particular, we want to hear  
7           your opinions, questions, comments, and  
8           suggestions related to several questions here,  
9           but not just restricted to these. But these  
10          are in particular what we want to hear about:  
11          continuing thoughts related to greenstick gear  
12          authorization, particularly related to  
13          greenstick gear data reporting. We also would  
14          like to hear about harpoon gear for charter  
15          head boats and in particular the not-for-hire  
16          trips only or authorization for all trips.

17                        And also, the proposal related to  
18          sea turtle handling gear for the pelagic  
19          longline and bottom longline fisheries. And  
20          with that, we can open it up.

21                        PARTICIPANT: Thank you, Randy.  
22          Ellen, then Jay.

1 MS. PEEL: Ellen Peel, TBF. I  
2 want to say that having the option of  
3 providing additional comments on greenstick,  
4 this is exciting because on the one hand while  
5 we are talking about areas that may have to be  
6 considered for special designation because of  
7 heavy bycatch for closure, this might offer an  
8 alternative that if this gear is used in lieu  
9 of longline gear, pelagic longline gear and  
10 some of those heavy areas where billfish  
11 bycatch is heavy might provide an alternative  
12 for everyone to keep fishing. So this is very  
13 positive, thank you.

14 PARTICIPANT: Thanks, Ellen. Jay  
15 and then Dick.

16 MR. KAVANAGH: Jay Kavanagh,  
17 Hatteras, North Carolina. My first comment is  
18 going to be towards -- I think we should ease  
19 the restrictions on the gear by category in  
20 pursuing bluefin tuna. I think that would  
21 help us better catch our full quota for the  
22 year.

1                   And a couple of comments on  
2                   greensticks. It should be approved gear.  
3                   It's through the advance of technology. It's  
4                   a better fishing method and has virtually no  
5                   dead bycatch. As far as increase in data  
6                   reporting by greenstick fishermen, I think  
7                   most of them are already reporting their  
8                   catches in another method, so I don't think  
9                   there would be any problem with another -- I  
10                  think these catches are already getting  
11                  reported.

12                  It's a vibrant commercial fishery  
13                  in North Carolina. The commercial fishermen,  
14                  the recreational tuna fishermen fish side by  
15                  side, and there's virtually no user conflicts  
16                  between commercial greenstick fishermen and  
17                  recreational yellowfin tuna fishermen. It's  
18                  a great thing. It needs to be approved.

19                  PARTICIPANT: Thank you, Jay.  
20                  Dick, Peter, and Rita.

21                  MR. STONE: Dick Stone. National  
22                  Marine Manufacturers Association. Certainly

1           this is sort of a repeat of last meeting where  
2           we did support the greenstick proposal, but  
3           also I want to reaffirm our support for data  
4           collection and logbook reporting for all  
5           catches.

6                           PARTICIPANT:  Thanks, Dick.  
7           Peter, Rita, and Gail.

8                           MR. WEISS:  Our organization  
9           proposed this rule regarding harpoons on  
10          charter head boats.  We ask for no change in  
11          the rules of charter head boats, in other  
12          words, a charter head boat today can capture  
13          a giant by rod and reel, but then has to stop  
14          fishing or capture another giant, but he  
15          cannot land a -- or a school or a small/medium  
16          fish.  It's also vice versa.  If he catches a  
17          small/medium or a school fish, he cannot  
18          harpoon or rod and reel a giant.  So we're not  
19          asking for any changes in these rules.  All  
20          we're asking for is the -- so the captain or  
21          his crew has the availability of using a  
22          harpoon which is a very difficult thing to use

1 and a very specialized thing to use to capture  
2 a giant if the opportunity occurs.

3 I mean you're talking about a  
4 small opportunity in a relatively small area  
5 because most of these charter head boat trips  
6 are made around the Stellwagen Bank, Cape Cod  
7 Bay area. When you consider the fact that the  
8 other day we had one seiner come into Cape Cod  
9 Bay and capture between two trips 86 giant  
10 bluefin all over 600 pounds and within the  
11 law, within the rules, and all we're asking  
12 for is the opportunity for a captain on one  
13 boat to capture possibly three, but at least  
14 one giant bluefin on a gear that's authorized  
15 in the harpoon category and also authorized in  
16 the general category. We don't see any reason  
17 in the world why we cannot, why this group or  
18 why NMFS shouldn't approve this rule. It is  
19 very simple. It stays basically within the  
20 law or within the rules that are in place now,  
21 and it should be approved, and it should be  
22 approved for all trips, not just non-charter

1 trips because the fact of the matter is today  
2 the charter business, as Tom will attest to in  
3 our area has improved tremendously because of  
4 the availability of small and medium sized  
5 bluefin. The problem is the giants have kind  
6 of petered out a little bit at the present  
7 time. So my comments regarding that is we see  
8 no reason why this rule shouldn't be put into  
9 place by NMFS.

10 As far as greensticks, I'm not  
11 familiar with greensticks, but from what I  
12 understand there are two methods of fishing  
13 greensticks. One is when you have eight or  
14 ten hooks out there and they go to different  
15 rods, and the other one is when there's eight  
16 or ten hooks out there and they're all on one  
17 long line and when the fish get caught, they  
18 all get hauled in. Well, I have a little  
19 problem with that in our area, not in North  
20 Carolina or not where there are yellowfin, but  
21 we don't have any yellowfin in Massachusetts.  
22 There are no yellowfin really north of

1            somewhere in Rhode Island, I'd say, Point  
2            Judith.

3                            Now you put a greenstick out  
4            without the hooks going to each rod and with  
5            the greenstick just going out with ten hooks  
6            on one line, and you're going to catch eight  
7            small fish and you're going to haul them all  
8            in, and it is not going to do them a lot of  
9            good. Number one, you can't keep them all  
10           because they're bluefin and there's a limit to  
11           how much you can keep. I really have no  
12           objection to greenstick, but I do have an  
13           objection to them north of a certain area  
14           because there are no yellowfin. And believe  
15           me, to capture giant bluefin on greensticks,  
16           if there are 20 fish trolled a year, the  
17           trolling method of catching giant bluefin has  
18           really gone way down. We have different  
19           methods of capturing them now, but that's my  
20           problem with greensticks north of a certain  
21           area. Thanks.

22                            PARTICIPANT: Thanks. That was

1 Peter Weiss. We have Rita, Gail, Rusty, and  
2 Pat.

3 MS. MERRITT: For the record, Rita  
4 Merritt, South Atlantic Fishery Management  
5 Council. And thank you for acknowledging that  
6 we both, North Carolina Division of Marine  
7 Fisheries and the South Atlantic Fisheries  
8 Management Council do support the greenstick  
9 authorization and protecting our historical  
10 fishery for the bluefin tuna.

11 I do have a question in addition  
12 to that. I don't want to be repetitive of  
13 what we've submitted in the past as well as  
14 all the comments today in support of  
15 greenstick gear, but a question regarding  
16 harpoon because I don't know anything about  
17 harpoon fishery. What is the rationale for  
18 possibly having a rule that separates the not-  
19 for-hire versus the for-hire? Is it a safety  
20 issue or just a fair and equitable ruling, or  
21 question of ruling.

22 MS. McLAUGHLIN: Right, well, two

1 things that came to mind for me were safety,  
2 for instance, if you have a charter and, you  
3 know, a teenage kid wants to throw a harpoon  
4 at a bluefin, what do you think of that? I  
5 know what I think of that. And I wanted to  
6 make sure I understood that this was  
7 specifically to fill the general category  
8 retention limit, in other words, it's  
9 commercial use versus you know, if you have a  
10 charter out and they haven't caught any  
11 angling, recreational-size bluefin, but -- or  
12 yellowfin for that matter, in order to bring  
13 a fish on to the boat would you be harpooning  
14 bluefin under 73 inches or other tunas? My  
15 impression from talking to Peter is no, this  
16 is just general category, 73 inches and over,  
17 not a recreational opportunity for an angler,  
18 not to bring a fish on board because they  
19 haven't gotten one yet. And as Peter said,  
20 just like the charter head boat rules are now,  
21 you're either fishing under the general  
22 category limit or the angling category limits.

1           So if you already have a bluefin under 73  
2           inches, you're not then pursuing commercial  
3           size bluefin. You're filling the angling  
4           category limit.

5                        PARTICIPANT: Thanks, Sarah.  
6           Rita, does that answer your question?

7                        All right. Gail, Rusty, Pat, and  
8           Tom.

9                        MS. JOHNSON: Thank you. Gail  
10          Johnson. I was wondering, do you have any  
11          data on the greenstick, you know, it goes on.  
12          I was wondering if anybody has been on a trip  
13          that has observed it, and I have another  
14          question after that.

15                       MR. BLANKINSHIP: We have some  
16          data available which I presented actually at  
17          the last AP meeting and also at the public  
18          information meetings that we had, but that  
19          little bit of information that we have is from  
20          logbooks from 1999 to 2003 and it does  
21          indicate that yellowfin are pretty much  
22          overwhelming the primary species that were

1           targeted and that were brought in with  
2           greensticks. It also shows that there's some  
3           other species that were brought in. It tends  
4           to back up the idea that the bycatch levels  
5           are relatively low for some of those other  
6           species.

7                            We also have some other  
8           information from logbooks in Hawaii where  
9           greensticks are also used which kind of  
10          reflect the same idea, although with the  
11          caveats of the way that they fish in Hawaii  
12          for some other species like, for instance,  
13          billfish can be legally taken commercially in  
14          the Pacific.

15                        MS. JOHNSON: The other thing is I  
16          was under the impression that we're already  
17          required to have specifically the tether which  
18          we do. And George Hinteregger was on our boat  
19          as an observer in August, and he arrived all  
20          excited. We have this new thing and he pulled  
21          out the Ninjas, well, he didn't pull them out.  
22          He said I'll show you how to rig them up. But

1           when they had a turtle and our crew is pretty  
2           adept and when he got done, when the crew got  
3           done with the turtle he says never mind. So  
4           some kind of rigging to hold the turtle is a  
5           really good idea and probably should be  
6           required, but I wouldn't necessarily say  
7           absolutely one or the other you have to have.

8                       MR. BLANKINSHIP: Okay, currently  
9           under the regulations the turtle tether is in  
10          the list described of the gears, but it is  
11          recommended and not required as part of the  
12          other required gears. This would make it  
13          required as you stated, and it would give the  
14          opportunity to not only -- it's not requiring  
15          both of them. It is having the choice between  
16          one or the other is the way that this would  
17          be.

18                      PARTICIPANT: Thank you. Rusty,  
19          Pat, Tom, and Rich.

20                      MR. HUDSON: Rusty Hudson,  
21          Directed Shark. Good morning, sorry I'm late.  
22          But I have two statements, one to do with the

1 greenstick and the other with sea turtle.

2 First, the greenstick. We've been  
3 for the greenstick probably with a ten hook  
4 limit. We've also wanted NMFS to rewrite the  
5 idea of what a longline, pelagic longline is.  
6 We feel that with the Atlantic States where  
7 we're developing a plan that we should be able  
8 to include the idea of a shortline which is up  
9 to 50 hooks that's being considered, so that  
10 whenever NMFS finalizes some of their stuff,  
11 we'd like to be able to have it parallel what  
12 the Atlantic States is doing with their  
13 shortline terminology for the inshore state  
14 waters.

15 Second off, by getting away from  
16 the three hooks or more, then you're getting  
17 away from the longline definition. So we  
18 figure that's your idea of a longline should  
19 be 51 hooks or more. And so basically that's  
20 pretty much my thoughts on greensticks.

21 Now with sea turtle handling gear,  
22 being I've dealt with sea turtles and TEDs and

1 everything else since early '80s and for the  
2 last year I've been participating in teaching  
3 the HMS workshops in these hundreds and  
4 hundreds of permits. Basically, the turtle  
5 tether is a very good idea and of course, it's  
6 only recommended and we've instructed people  
7 that perhaps it's going to be required in the  
8 future.

9 We earlier in January, we got them  
10 to move back the islet behind the clamshell  
11 clamp so that it was, instead of two inches  
12 back it was about a little wider than the hand  
13 so that you could reach it in there and not  
14 get bound up. But another improvement that  
15 the Science Center could allow for is an  
16 increase in the size of the islet, a quarter,  
17 half inch on the internal diameter, simply  
18 because sometimes that neutrally buoyant line  
19 will bind on that islet a little bit. It  
20 would make it a little easier for the release  
21 of the animal, particularly a thousand pound  
22 leatherback.

1                   And finally, with the Ninja stick  
2                   or turtle grabbers are going to supposedly be  
3                   renamed, for the classes it would be nice to  
4                   have one to show and demonstrate, just like  
5                   there's a couple of other dehooking devices  
6                   that we would like to have on the table and  
7                   also the arsino (phonetic) line cutter. I  
8                   mean overall, these are sea turtle handling  
9                   gear, and if you're going to be describing  
10                  them, you need to be able to show them. So  
11                  that's my recommendations.

12                   PARTICIPANT: Thank you, Rusty.  
13                  Pat, Tom, Rich, and Rebecca.

14                   MR. AUGUSTINE: Pat Augustine,  
15                  thank you. A couple of questions. I don't  
16                  recall having read the greenstick definition.  
17                  Does it require circle hooks as a requirement?

18                   MR. BLANKINSHIP: No, the  
19                  definition does not require circle hooks.  
20                  Under the idea of what we're thinking about  
21                  right now, circle hooks would not be required  
22                  for greenstick use. We did get quite a bit of

1 public input through the public information  
2 meetings that indicated that circle hooks used  
3 in conjunction with greensticks actively  
4 trolled would not be as productive in hookup  
5 as J-hooks are.

6 There's some more discussion that  
7 could take place related to that, related to  
8 drop back times and all that kind of stuff  
9 that are affected, the J-hooks are affected  
10 by, but suffice it to say that circle hooks  
11 would not be required for greensticks, the way  
12 that we're thinking about it right.

13 MR. AUGUSTINE: Okay, thank you.  
14 A follow-on question, as Peter described his  
15 understanding of greenstick could be bundled  
16 lines, bundled hooks, five, six, eight,  
17 whatever, that would be separated or would  
18 separate upon fish striking a particular hook  
19 or all hooks as opposed to or compared to a  
20 single line with several hooks on it. Is  
21 there a definition for each of those or are we  
22 in this description only talking about a

1 greenstick as it relates to single hooks or  
2 line bundled?

3 MR. BLANKINSHIP: Under the  
4 definition, it would be a line suspended or  
5 elevated above the water surface with up to  
6 ten hooks on it. So we're not talking about  
7 bundling anything, it's the line up to ten  
8 hooks.

9 MR. AUGUSTINE: So that's very  
10 specific then.

11 MR. BLANKINSHIP: Oh, I'm sorry, I  
12 guess what I misunderstood -- Margo is  
13 clarifying that you're probably talking about  
14 the recreational, what we have previously  
15 referred to as the recreational configuration  
16 where there's a greenstick or vertical  
17 outrigger, an individual rod is going to it.  
18 That would not be defined as a greenstick  
19 under this definition. That would not be a  
20 greenstick. That would be individual fishing  
21 lines going to an outrigger that happened to  
22 be upright.

1                   MR. AUGUSTINE: Okay, I didn't  
2 know whether that clarification would be  
3 required or not.

4                   MR. BLANKINSHIP: The greenstick  
5 definition would be one main line, one line  
6 with the hooks attached to that.

7                   MR. AUGUSTINE: And one final  
8 thing, I agree with someone else's comment  
9 about reporting. I think that there should be  
10 a notation there that requests for all users  
11 should be reporting, and this again is going  
12 to be a data point along with everything else,  
13 and I think if we're going to gather data  
14 everyone should report. At the beginning, I'm  
15 sure it should be a vessel trip report. Later  
16 on it would be like any other commercial gear  
17 where I think eventually we've got to get to  
18 electronic reporting.

19                   As for harpoon gear for charter  
20 head boats, I think, Margo, did you clarify it  
21 by saying -- I'm sorry, Sarah, did you clarify  
22 it by saying that that person would probably

1 be fishing under the umbrella of being  
2 registered as a general category during that  
3 period of time that they would be using that  
4 gear?

5 MS. McLAUGHLIN: Right, the letter  
6 requested authorization for charter head boats  
7 just to use harpoon gear. What I was saying  
8 is that my understanding from talking to Peter  
9 is that it would be just for the purposes of  
10 filling the general category retention limit,  
11 catching bluefin 73 inches or over.

12 The way the gear regulations are  
13 phrased, it would be authorized for Atlantic  
14 tunas gear, it wouldn't necessarily -- this is  
15 what we could talk about. We could just  
16 authorize it, Atlantic tunas or we could  
17 handle it kind of like spear gun authorization  
18 was handled where you use brackets and say BFT  
19 only or commercial bluefin only. These are  
20 things we could talk about. And, again,  
21 that's my understanding from talking to Peter  
22 is you can authorize it for Atlantic tunas.

1           You can authorize it for all trips, but really  
2           operationally it's going to be crew only  
3           filling the general category only, and I'm  
4           interested to hear if you think that people  
5           would pursue yellowfin, big eye, with a  
6           harpoon.

7                       MR. AUGUSTINE:   And then one final  
8           one, would there be later on in the process  
9           when you get to the further finite definition,  
10          would there be something in the rule that  
11          would state that this gear when on a for-hire  
12          trip, in other words, if you change categories  
13          on a for-hire trip you would be -- you would  
14          have to have this gear stowed, similar to when  
15          you're crossing an area from for instance a  
16          GRA, you're crossing a GRA your gear has got  
17          to be stowed?   In other words, no access, no  
18          availability to that gear on deck or seen  
19          anywhere if you're on a for-hire day?

20                      MS. McLAUGHLIN:   If we were to go  
21          the route of non-for-hire trips only, that  
22          would be something to consider.   I hadn't

1 thought all the way through that one.

2 MR. AUGUSTINE: Thank you. That's  
3 why we're here.

4 PARTICIPANT: Thanks, Pat. Tom,  
5 Rich, Rebecca, and Terry.

6 MR. DePERSIA: I think -- I'm Tom  
7 DePersia, Stellwagen Bank Charter Boat  
8 Association.

9 I think the thought of having  
10 harpoons on charter boats is a very bad idea.  
11 This is not a proposal to allow harpoons on  
12 charter boats, it's more of a proposal to  
13 allow retention of angling category bluefin  
14 tuna on harpoon boats. Currently, charter  
15 boat, head boat, category boats, can't catch  
16 angling size fish.

17 Because of the quota on the  
18 angling size fish is so small, everybody talks  
19 about we've got plenty of quota, but we don't  
20 have a lot of quota when it comes to the  
21 school-size fish. I just want to remind  
22 everybody that last year the charter boats

1           were restricted to only three weeks of  
2           catching angling-size fish, and we had to beg  
3           for that because we already used our quota.  
4           Now we're going to be bringing all these other  
5           boats into the charter boat picture, and  
6           they're going to be eating up the quota, and  
7           I think somewhere along the line we may run  
8           into a situation where we're catching too many  
9           of these fish.

10                         So I think it's going to be a good  
11           thing for harpoon boats, but it's going to be  
12           a bad thing for historical charter boats. I  
13           also think there's going to be a lot of abuse  
14           in this situation. I really -- I honestly  
15           think that there are going to be people  
16           harpooning for their charters. If they have  
17           a charter on board, they're going to be  
18           harpooning school-size fish. I really think  
19           that's going to happen.

20                         You're also going to see guys  
21           going out on their own and maybe catching the  
22           fish to sell back door to restaurants. You're

1 going to see abuses here. Also, what's going  
2 to happen with a guy coming in with let's say  
3 he had a charter and they catch a couple of  
4 school fish and they're on their way in and  
5 all of a sudden they spot a giant swimming on  
6 top of the water, pushing on the water. Do  
7 you think they're going to -- what do you  
8 think is going to happen? They're going to go  
9 after this \$10,000 fish. That's my opinion of  
10 what's going to happen.

11 So I think you're going to open a  
12 door to all kinds of abuse here, and I don't  
13 think it's a good idea. The harpoon person  
14 has the ability now to take the pulpit off of  
15 his boat and take charters and then he doesn't  
16 run into that situation. Or he could fish for  
17 giants now under the general category. So  
18 they can do whatever they want. It's just  
19 that they can't do both at the same time. So  
20 I think it's a very bad idea to allow charters  
21 on harpoon boats or to allow charter boats to  
22 carry harpoons.

1                   In terms of the greenstick, I  
2           think you need to designate an area, perhaps  
3           above the 42 degree line, 42 degree latitude  
4           line where they're not allowed because of the  
5           abundance of bluefins in that area and the  
6           fact that we don't have any yellowfins and  
7           that if all of a sudden they catch way more  
8           than the limit you're going to see a lot more  
9           bycatch. You're going to see a lot more  
10          mortality. So there needs to be a designation  
11          of a line somewhere around Massachusetts or  
12          Rhode Island where above that line the use of  
13          greensticks isn't allowed. That's my  
14          recommendation. Thank you.

15                   PARTICIPANT: Thanks, Tom. Next  
16          we have Rich, Rebecca, and Terri.

17                   MR. RUAIS: On the greenstick, I  
18          think Bluewater would favor the first  
19          alternative which includes allowing,  
20          authorizing the greenstick gear for the  
21          general charter and the longline category.

22                   The concern we would have is to

1           make sure that it is defined as an authorized  
2           gear under each category and make no -- allow  
3           no confusion that it is longline gear, and  
4           that's been the primary concern we've had all  
5           along is is that it is not a longline gear.  
6           It remains attached to the vessel for one  
7           thing and clearly the number of hooks are  
8           limited.

9                           In terms of Ellen's -- I'm happy  
10          to hear Ellen's support, and I know exactly  
11          what she's getting. I wasn't supposed to  
12          mention a name, was I? I was glad to hear  
13          someone else's support for this, but I think  
14          that -- the application someone was referring  
15          to is very limited. You're not going to take  
16          a 50 or 60 or 70 or 90 foot longline boat and  
17          go out and efficiently use greenstick gear to  
18          participate in your fishery. It's not going  
19          to happen.

20                          My two neighbors here have a  
21          concern about seeing the greenstick coming  
22          into New England. I think there ought to be,

1 as I'm going to recommend on the harpoon use  
2 as well, I think you really need some serious  
3 number of public hearings on both issues,  
4 particularly Rhode Island, Cape Cod, in  
5 particular, from Gloucester to Marshfield to  
6 Provincetown and Rhode Island. There are some  
7 issues there.

8 I personally don't have them with  
9 greenstick gear. I think greenstick gear  
10 ought to be authorized. I don't worry about  
11 the issue that they worry about. The bag  
12 limit controls in terms of the giant fishery  
13 and the angling category of fishery, the bag  
14 limit controls what you're ultimately allowed  
15 to keep and technically what you're allowed to  
16 -- well, the practical aspect of using the  
17 gear is what limits a captain to deciding  
18 whether if the bag limit is three fish,  
19 whether he's going to put ten fish on and  
20 troll through an assemblage of 150 giant  
21 bluefin tuna. His chances of getting anything  
22 back at that point in time are going to be

1           greatly reduced.  So if he's got half a brain,  
2           he's going to figure out what he needs to do  
3           on his own.

4                         And in terms of the notion that we  
5           don't have yellowfin right now in New England,  
6           that's actually a debatable issue with the  
7           warming of the water, you know, they're  
8           flying, I'm told by my contacts in New Jersey,  
9           yellowfin are flying through New Jersey  
10          waters, they're not staying there.  They're  
11          going somewhere north to find cooler waters,  
12          and I wouldn't be surprised at all if over the  
13          next decade we've got yellowfin tuna on New  
14          England pelagic fishing grounds.  So I think,  
15          again, that should go to the fishermen for  
16          them to decide, but -- and I would want them  
17          to consider the full range of use.

18                        The harpoon on charter head boat  
19          vessels, I actually raise that on behalf of  
20          Peter at several meetings he wasn't able to  
21          make, and I'm glad we've gotten to this point,  
22          and Tom raises some interesting issues that

1 are clearly there.

2 My general inclination has always  
3 been given the inability to catch the quotas  
4 in recent years, we need a reasonable  
5 opportunity -- the reasonable opportunity  
6 mandate means that you should be able to use  
7 whatever gear, the maximum number of gear  
8 types you can to catch your quota, but there  
9 are clearly some enforcement issues here and  
10 there are some issues about whether in an  
11 angling category a harpoon is an appropriate  
12 piece of gear. I mean it was subjected to, I  
13 remember when I was working for the New  
14 England Council in the early 1980s I was  
15 arguing on behalf of a bunch of harpoon  
16 fishermen from Martha's Vineyard who used to  
17 harpoon white marlin and the reaction I got in  
18 Charleston, South Carolina was not very -- not  
19 a nice reception.

20 (End Tape 14; begin Tape 15.)

21 But that's to the practitioner  
22 whether you think, whether you can have

1 pleasure and recreation using a harpoon or  
2 not. But again that issue, that's another  
3 issue that I think you'll find some intense  
4 debate and it's an issue that ought to be  
5 resolved by the fishery, by the fishermen  
6 themselves. I'm not going to take a position  
7 one way or the other. I'd like to hear those  
8 debates at the public hearing.

9           And as Peter mentioned, and I want  
10 to back that up just because there's a couple  
11 of people like Pat here, this guy over here  
12 who is involved in the dogfish, we've lost the  
13 chunking method of fishing and we've lost the  
14 trolling method of trying to catch giant  
15 bluefin tuna in New England because of dogfish  
16 over abundance, that you cannot effectively  
17 use either of those historical, traditional  
18 fishing gears because you can't keep a bait in  
19 the water because of the dogfish over  
20 abundance, and you can't troll because they'll  
21 chew up your squid rigs as well. Just  
22 impossible. So we've lost those two physical

1 methods of fishing, so we are in search of  
2 other ways of doing it to the point where  
3 people are now experimenting with electronic  
4 magnetic things that somehow tell dogfish,  
5 scare dogfish away from some electronic  
6 sensitivities they have in their beaks. It's  
7 getting pretty weird.

8 Thank you.

9 MR. GRAVES: Thanks, Rich. We  
10 have about five people in the queue, Rebecca,  
11 Terri, and Jay.

12 MS. REGNERY: I'm Rebecca Regnery,  
13 Humane Society and I'll be brief. We support  
14 any equipment that would help reduce sea  
15 turtle bycatch and also interactive training  
16 workshops. We look forward to more details in  
17 a proposed rule and I was just wondering if  
18 there have been any studies done on these  
19 particular handling gears on their  
20 effectiveness, if you know.

21 MR. BLANKINSHIP: Yes, regarding  
22 the sea turtle handling gear, the research was

1 done by the Southeast Fisheries Science Center  
2 and the specialists that also worked with  
3 developing the safe handling and release gears  
4 that are already required. I use that term,  
5 it's called safe handling and release gears as  
6 a catch all term, even though the handling  
7 gears technically are recommended at this  
8 point. This would require them. It's the  
9 terms that have been used. But anyway, yes,  
10 the research was done by them and they have  
11 recommended that the handling gears that we  
12 described be added to the list of required  
13 gears. That's how this came about.

14 MR. GRAVES: Rebecca, is that it?  
15 Okay, fine. Terri, Jay, and Mark.

16 MS. BEIDEMAN: Terri Beideman.  
17 Nelson R. Beideman Charitable Foundation. You  
18 know that I am like probably the loudest  
19 proponent for making sure that fishing boats  
20 have the availability to be able to use gears  
21 that they may have been able to use in the  
22 past. We've put ourselves in some pretty

1 small boxes and you know, what happens when  
2 you have closures one year and the only gear  
3 you're authorized to use is that, you're done.

4 So I certainly support finding a  
5 way. However, I have to raise a sticky issue.  
6 You'd be allowing J-hooks to be on pelagic  
7 longline boats, which are currently  
8 disallowed. So I just wanted to unfortunately  
9 raise that. You probably will have to require  
10 for people to either remove or disable in  
11 order to utilize the greenstick. I want them  
12 to be able to use greenstick. They may need  
13 to, to survive, you know? People need to  
14 eat. But you do realize if you allow people  
15 to have J-hooks on their boats, you are  
16 creating a potential problem and people are  
17 unfortunately desperate in some cases and it  
18 could be an issue. So I just wanted to make  
19 sure that you put that in the rule. They are  
20 accustomed to having to disable their gear if  
21 they're transitting zones that are closed. We  
22 have regulations and we have a pretty good

1 bunch that are the remnants of what's left are  
2 pretty good people. So I think you can count  
3 on that, but I did want to raise that so that  
4 you covered that issue.

5           Although the ten hooks was kind of  
6 a surprise, I guess I've not been paying  
7 attention and with all these different other  
8 things I thought I was playing Monopoly. We  
9 have a shortline which is the Reading  
10 Railroad, but anyway, if you're going to have  
11 people harpooning which again is another  
12 swordfish gear that longliners can't use any  
13 more and believe me, they all used to, but  
14 bluefin tuna took that away. If it were  
15 possible, it would be nice for people to be  
16 able to use that certainly, have the  
17 possibility on occasion to stick a swordfish.  
18 But if you harpoon a bluefin and it's too  
19 small, you don't have an opportunity -- you  
20 have a discard and you have an issue and you  
21 have something that needs to be counted and  
22 reported and here we are.

1                   So it's not as easily releasable  
2                   when it's harpooned, at least -- I'll leave it  
3                   there. That's enough. Bye.

4                   MR. BLANKINSHIP: Paul, hang on  
5                   one second, I want to address -- Terri, you're  
6                   sharp and brought up a very good point related  
7                   to J-hooks on PLL vessels where they are  
8                   currently not allowed. We have had some  
9                   discussions related to that that may  
10                  potentially involve the possibility of  
11                  considering things like allowing a minimum  
12                  number of J-hooks on board. That number might  
13                  be on the order of 18, 20, 24, something like  
14                  that that would allow the rigging of a  
15                  greenstick gear. But obviously, would not be  
16                  a number that would be large enough to create  
17                  concern and that could effectively be used on  
18                  a pelagic longline set. That's some things  
19                  that are being kind of discussed related to  
20                  that.

21                  MR. GRAVES: Thanks, Randy.  
22                  Thanks, Terri. Jay, Mark, Peter, and Rich.

1                   MR. KAVANAGH: Just a couple of  
2 points to clarify. In North Carolina, we are  
3 doing more and more rod and reel fishing on a  
4 greenstick and this is being done on charter  
5 boats and recreationally. And it's really no  
6 different than a line on an outrigger, so it  
7 really can't be thought of in the same  
8 traditional greenstick commercial fishing  
9 where all the squids, all the six squids are  
10 on one line on a bandit reel on a 900 pound  
11 test net. It's not the same.

12                   As far as a concern for a  
13 northeast boundary for the legality of  
14 greenstick, I don't think that's kind of a  
15 nonissue too because greenstick caught fish  
16 are caught very quickly. They're very lively,  
17 often too lively to deal with at the boat  
18 side. And you're going to have a very low  
19 post-release mortality rate as a result of  
20 that. So I really don't see that as an issue,  
21 besides the fact that the gear is primarily  
22 targeted at where tunas feed on flying fish

1 and there ain't a whole lot of flying fish up  
2 that way.

3                   Somebody brought up a harpooning  
4 big eye and yellowfin. I don't know that  
5 anybody is that quick. I don't think that's  
6 an issue.

7                   One thing that Randy brought up to  
8 me, we in North Carolina when we're catching  
9 giant bluefin tuna we often land them with a  
10 harpoon, a real and rod caught fish landed on  
11 a harpoon. Now this is an nonelectric harpoon  
12 and I don't know where that definition lies,  
13 but we are landing rod and reel caught fish  
14 with a harpoon.

15                   MS. McLAUGHLIN: They are allowed  
16 use as a secondary gear to both the fish.

17                   MR. KAVANAGH: I just wanted to  
18 make sure that definition wasn't muddied in  
19 here.

20                   MR. GRAVES: Thanks, Jay. Mark  
21 Sampson, then Peter, Rich, and Vince. The  
22 list keeps growing or keeps continuing and

1 I've got Terri and Tom.

2 MR. SAMPSON: Thank you. Mark  
3 Sampson, Ocean City, Maryland.

4 Just to clarify, you had mentioned  
5 that for your definition greenstick gear would  
6 be as it is typically used for in the  
7 commercial fishery where then as it's used in  
8 the recreational fishery where it's attached  
9 to rods and reels as Jay was just describing  
10 would not fall under your definition of  
11 greenstick gear, is that correct? Okay, it's  
12 basically a vertical outrigger with fishing  
13 rods?

14 MR. BLANKINSHIP: That's correct,  
15 that would be hand gear. It's already  
16 authorized.

17 MR. SAMPSON: But the  
18 authorization, if it is authorized as gear,  
19 this would be for the commercial fishery,  
20 correct? It would not be authorized for use  
21 within the recreational fishery, the  
22 greenstick gear as used by the commercial

1 fishermen, in other words, one line, banded,  
2 retrievable gear and all that?

3 MR. BLANKINSHIP: The way that the  
4 alternative was put up there would not make  
5 the distinction for charter head boat vessel  
6 whether they were operating in a commercial  
7 capacity or whether they were operating under  
8 a for hire capacity recreational capacity.  
9 There are some charter head boats, of course,  
10 charter head boats can sell tunas. There are  
11 some charter head boats that have greensticks  
12 rigged under the power haulback configuration  
13 and because of the issue related to  
14 enforcement of whether or not they're on a  
15 for-hire trip and under recreational intent,  
16 whether they were using it under that power  
17 haulback configuration or not is very  
18 difficult to tell that.

19 The way that we are currently  
20 thinking about it and the way that it was put  
21 up there would not make that distinction.

22 MR. SAMPSON: Stepping away the

1 charter head boat category, into just the  
2 general angling category -- the angling  
3 category, is there going to be any mention to  
4 greenstick use by them within that category?  
5 In other words if somebody has an angling  
6 category permit, will they be able to use  
7 greenstick gear by your definition of  
8 greenstick gear?

9 MR. BLANKINSHIP: The greenstick  
10 gear under the definition we're talking about  
11 would not be authorized for angling category.

12 MR. SAMPSON: Just a heads up,  
13 there are angling category vessels that are  
14 using the recreational version of greenstick  
15 gear, okay. They have a greenstick on their  
16 boat, but they're using it to fish with rods  
17 and all that. I realize that's not a problem  
18 with you, but somewhere in the rules if it  
19 states that an angling category vessel is not  
20 allowed to use greenstick gear you better make  
21 very clear that they will be able to use it in  
22 a recreational version, otherwise you're going

1 to have a lot of people saying, wait a minute,  
2 why can't we do this? It's going to create a  
3 lot of confusion because from their  
4 standpoint, their greensticking. When they  
5 put that big pole on their boat and they rig  
6 it up, even though by your definition of  
7 greenstick it's not, to them it is and it's  
8 going to -- you're going to need to define  
9 that somehow. Thank you.

10 MR. GRAVES: Thank you. Peter,  
11 Rich, Vince.

12 MR. WEISS: Peter Weiss, General  
13 Category Tuna Association. A couple of  
14 points. Number one, I think Rich said when a  
15 fisherman goes out or a charter head boat guy  
16 goes out and he's fishing for recreational  
17 fish, that's not exactly true, Rich. He can  
18 go out and target giants under the charter  
19 head boats, so he could leave with the idea of  
20 catching a giant and going fishing with  
21 bluefish. He can leave the dock with either  
22 intention, correct? That's right.

1                   Secondly, with all due respect to  
2 Tom, who is a friend of mine, and I have a lot  
3 of respect for him. He's one of the best and  
4 most honest charter guys up our way. He has  
5 two boats, I believe his son runs the other  
6 one, I believe his organization, he can tell  
7 me if I'm wrong, but I believe his  
8 organization sent a letter to NMFS supporting  
9 the idea of having harpoon on charter head  
10 boats and being able to harpoon fish. Then if  
11 I'm wrong, then I apologize, but I don't think  
12 I am.

13                   The other point that Tom made, a  
14 couple of points that I really disagree with,  
15 he gives the impression that it gives you the  
16 chance to cheat. It gives you the impression  
17 that all fishermen are cheaters. You know,  
18 they've always got this thing that they can  
19 cheat. Well, everybody can cheat and believe  
20 me, there's a lot of cheating going on in the  
21 fishery today, especially our way when we have  
22 all these small fish and half the people that

1 are catching them don't have permits,  
2 recreational or otherwise. So I don't think  
3 we can make rules with the idea of people not  
4 cheating or cheating. You've got to have --  
5 there has to be some semblance of  
6 reasonableness that people are honest to begin  
7 with. And hopefully they are.

8 I believe when a charter guy goes  
9 out and he harpoons a fish and it's under 73  
10 inches which there is a possibility that he  
11 really was not doing that on purpose. And I  
12 can also tell you that once a boat has its  
13 limit of either school or medium size bluefin,  
14 and maybe they double up or they capture an  
15 extra one and the fish is dead because he gut-  
16 hooked, I mean that's the same thing. I don't  
17 think the captain meant to do it. Stuff  
18 happens in all fisheries.

19 We can go with a thousand reasons  
20 why we should or why we shouldn't or this guy  
21 is going to cheat or whatever. The fact of  
22 the matter is it's an opportunity for somebody

1 to catch a giant bluefish and there's also the  
2 possibility that the charter will go out  
3 wanting the captain to harpoon a fish. It's  
4 quite -- in all the years I've fished, there's  
5 nothing more exciting than trying to harpoon  
6 a giant bluefish on top of the water. Believe  
7 me, it takes a lot of skill. I couldn't do it  
8 in a million years. I couldn't even walk up  
9 on the pulpit, I'd fall off. So it's just not  
10 quite that easy.

11 Lastly, I just want to say  
12 something. I want to get my two cents in as  
13 to what Rich said and it has nothing to do  
14 with harpooning bluefin. Our fishery has gone  
15 to hell because of dogfish and there are more  
16 dogfish -- there was a dogfish season opening  
17 in Massachusetts lately and people didn't have  
18 to fish for them. They gaffed them. They  
19 gaffed their quote right next to the boat.  
20 There are so many dogfish, they gaf them. And  
21 at the end of the trip they threw their bait  
22 overboard because they didn't use it.

1                   That's all I've got to say.

2                   MR. GRAVES: Peter, thanks. We've  
3 got four more on the list and hopefully that's  
4 kind of winding it up. Rich, Vince, Terri,  
5 and Tom.

6                   MR. RUAIS: Rich Ruais, Bluewater.  
7 I hope I can remember all the little points I  
8 wanted to make. One, if I misspoke on the  
9 charter boat, I truly apologize. The charter  
10 boat permit for the bluefin tuna fishery  
11 period is the most popular permit to have and  
12 that's a relatively new -- well, it's a  
13 transition that's been taking place over the  
14 last seven or eight years and NMFS can  
15 probably confirm that. It used to be general  
16 category permits were like this and the  
17 charter boat permits were like that. They've  
18 got to be getting pretty close right now  
19 because it gives the fishermen the option of  
20 going after school fish and giants at the same  
21 time and that's why I mentioned that this is  
22 an issue that really should get a really good

1           airing in New England.

2                       On the issue that was asked of  
3           NMFS on are the turtle devices, have they been  
4           tested and NMFS gave a response to that. I  
5           just wanted to add to that that most of these  
6           turtle safe release and handling mechanisms  
7           and protocols and tools were developed in  
8           cooperation with the Southeast Fishery Center  
9           and the Pelagic Longline Industry and the  
10          Grand Banks Research Experiment that took  
11          place over two years. So it was a combined  
12          industry of NMFS, probably one of the most  
13          successful examples of cooperative research  
14          done with the industry. And I was glad to  
15          hear the explanation from the ARC  
16          representative for maybe some slight  
17          modifications for that.

18                      I did have a question that maybe  
19          somebody could answer in terms of -- and  
20          certainly Bluewater is going to support that  
21          addition to the gear, but I'd like to know if  
22          there's an estimate of what that adds to the

1 cost of the required gear.

2 And finally, to the point from the  
3 phenomenon that the greenstick gear is being  
4 used for -- mostly being used in conjunction  
5 with flying fish, we actually in New England  
6 we make bluefish fly in order to catch bluefin  
7 tuna now. It's the only way you can catch  
8 them is keep them out of the water. We use  
9 kites. So we might have to adapt the  
10 greenstick to make the -- to make 10 pound, 15  
11 pound bluefish fly to catch bluefin with  
12 greensticks.

13 MR. BLANKINSHIP: Related to the  
14 question about the cost, currently in  
15 production the turtle tether can be purchased  
16 at \$200 to \$250 a unit. It can be made. The  
17 specifications are there. It could be made  
18 for less than that if a fisherman wanted to  
19 make one. The turtle tether, likewise, could  
20 be made once the specifications are  
21 established and that's what this rulemaking  
22 would do. And the cost generally could be in

1 the range of depending if they have some  
2 materials already on hand or if they had to  
3 buy them all, it could be somewhere between  
4 \$20, \$35 to \$40, something like that.

5 MR. GRAVES: Thanks, Randy.  
6 Thanks, Rich. Three more, Vince, Terri, and  
7 Tom.

8 MR. MONTELLA: My mind works a  
9 little different than most people in this  
10 room. You say I can have a stick and some  
11 string and ten hooks, I start to think how can  
12 I catch the most fish because that's what I've  
13 always done. I understand the way this works,  
14 you troll it and it stays on top, it's very  
15 effective for tuna. But what if you were to  
16 take that boat out of gear and what if you  
17 were to stretch that line out a mile and put  
18 a buoy on the end of it? The description of  
19 this type of gear has to be defined very well  
20 so that doesn't become a hand gear or a baby  
21 longline, some type of drifting mechanism to  
22 catch swordfish or tuna.

1                   I do understand the way it's  
2           proposed, but I think you have to be very  
3           specific about -- is there anything that says  
4           this line from that stick to the end of it  
5           can't be two miles long with ten hooks  
6           drifting on it? Is there anything that says  
7           there has to be a bird on the end of it or can  
8           there be a buoy or can there be several buoys?

9                   I think you need to look at that.  
10          We really don't need these things drifting  
11          around South Florida in the straits, you know.  
12          I know a good spot for it.

13                   (Laughter.)

14                   Thank you.

15                   MR. GRAVES: Thank you, Vince.

16          Terri, you're back up and then Tom.

17                   MS. BEIDEMAN: Yes, I always  
18          forget something. Terri Beideman. I was just  
19          thinking with a little bit of confusion that  
20          we had just at the table here about what was  
21          actually allowed and what wasn't allowed that  
22          the people that end up first on the scene are

1 Coast Guardsmen, usually, looking at permits,  
2 looking at stuff. And when you have a permit  
3 that says it's a longline permit and it  
4 doesn't have an endorsement or anywhere that  
5 says you're allowed to have X, Y, and Z also,  
6 you might wind up in a circumstance where it  
7 might be helpful somewhere where it's  
8 specifically written down what gears are  
9 allowed period. End of discussion on those  
10 particular -- I know it's a pain.

11 But the enforcement people are  
12 usually not accustomed to even knowing what  
13 any kind of gear is, but they look at a permit  
14 that I support having permits by gear. I  
15 think you need endorsements or certifications  
16 or something that says yes, it says a longline  
17 permit. That also means you can have X, Y,  
18 and Z. So that's it.

19 MR. BLANKINSHIP: So just to  
20 clarify you're talking about potentially on  
21 the permit stating what the gears are or --  
22 the other thing is that some law enforcement

1 groups have kind of a cheat sheet that they  
2 developed to help them understand what's going  
3 on. We also have a course and a compliance  
4 guide and the compliance guide does have that  
5 information available. So some combination of  
6 that meets what you're talking about.

7 MS. BEIDEMAN: Only so that it's  
8 very clear that there isn't a bunch of  
9 confusion about what people either by the  
10 vessel themselves, the fishermen, or by the  
11 enforcement person if they have an issue and  
12 I do think and we always recommended that  
13 people carry that compliance guide aboard  
14 their boat so that if there's any question it  
15 can be referred to and of course normally they  
16 probably would still call you anyway, but it  
17 might not be a bad thing. That's all.

18 MR. GRAVES: Thanks, Terri. Tom,  
19 you're winding it up for us.

20 MR. DePERSIA: A clarification.  
21 One of the fellows over there mentioned  
22 something about harpooning the big guys and

1 yellowfin. If you were talking about me, I  
2 wasn't referring to that. I'm referring to  
3 actually harpooning bluefins and just as an  
4 example within the last couple of months there  
5 was an enforcement action in Maine where a  
6 harpoon boat brought in a whole bunch of  
7 school tuna and was selling them to  
8 restaurants, so it is something that happens  
9 all -- it does happen, it can happen, it will  
10 happen.

11 In terms of the charter boat  
12 association, that could have happened. I know  
13 we have a harpooner in our organization who's  
14 very active on trying to push this issue and  
15 it could have happened. I'm not aware of the  
16 letter, but that could have happened.

17 I also want to emphasize the  
18 dogfish problem in our area. I don't know  
19 what it's going to take to get things  
20 happening here, but it is a major concern. It  
21 is totally stopping the rebuilding of  
22 groundfish in our area, cod, haddock. I'm

1 positive of that. We can't even use a whole  
2 10 to 15 pound bluefish for bait for giants.  
3 You get it 20 feet from the boat and it's  
4 being swarmed by dogfish eaten alive. All  
5 you're bringing is a skeleton. It's totally  
6 out of control and something has got to be  
7 done. We can't fish.

8 Historically, for 30 years I've  
9 been fishing for giants, I can't fish like I  
10 used to fish because we can't put a piece of  
11 bait in the water without dogfish eating it.  
12 So the dogfish issue is a crisis in our area  
13 and we need to get NMFS, we need to get Bill  
14 or whoever is in charge to do something about  
15 this dogfish problem that we have.

16 In terms of the question about  
17 angling categories and greensticks, I don't  
18 see any reason why the angling category  
19 shouldn't have it. If it's going to be in the  
20 charter boat head boat category which is  
21 basically both general and angling category,  
22 when you're operating for school fish, you're

1 operating as an angling category boat, so  
2 there shouldn't be any distinction between a  
3 charter head boat fishing with a greenstick  
4 and an angling category both fishing with a  
5 greenstick. So I think that should be an  
6 allowed gear type for the angling category if  
7 it's going to be allowed for charter head boat  
8 categories. I think I covered all my items  
9 here.

10 MR. GRAVES: Thank you, Tom. And  
11 I think Pat wanted to do a quick response on  
12 dogfish.

13 MR. AUGUSTINE: Yes, Pat  
14 Augustine. Most of you may or may not know  
15 that the New England Council and the Mid-  
16 Atlantic Council have joint responsibility for  
17 spiny dogfish and the survey that's going on  
18 right now the spiny dogfish are occurring up  
19 and down the coast. There are many reasons  
20 for it. If you listen to Steven, he tells us  
21 that possibly it's climatic conditions change.  
22 The large ones that normally used to come in

1 in the fall are here most of the time, early  
2 in the spring. The small ones are being  
3 caught by guys like Captain Jim Ruel out of  
4 North Carolina. He tells us that 1,000, 1,200  
5 feet he can pull up his net with 20,000,  
6 30,000, 40,000 pounds of little ones up to  
7 about 12 or 15 inches long. So there's some  
8 dynamic going on here that we really have no  
9 control over.

10           Until scientific information comes  
11 out, best, worst whatever, both the Councils  
12 and the Commission are forced with dealing  
13 with the best scientific information we have  
14 available. And so therefore quotas are being  
15 adhered to pretty much by what NMFS North  
16 Atlantic Lab Office says we can have which at  
17 this point in time is something like 4 million  
18 pounds a year. ASC took a quota of 5 million  
19 pounds. As a result the quota was landed in  
20 New England to the tune of about 860,000  
21 pounds over the quota which will be subtracted  
22 from the new quota for 2008 unless the survey

1 is completed and we get the results of it.

2 My understanding is that survey

3 will be done within the next 12 months or so.

4 I think we have to bear with it. It's another

5 one of those processes we have to go through.

6 We are inundated, like everyone else, up and

7 down the coast. We don't know many states who

8 are not inundated from Maine to Florida with

9 spiny dogfish. It's just the nature of the

10 beast and it's one of those processes we have

11 to bear with. There are no better answers

12 other than you go out and come up with a bunch

13 of recipes. If you haven't tried a spiny

14 dogfish, they taste really good. You just

15 have to know how to fix them. Be careful of

16 the spines. And they do make good necklaces.

17 Thank you.

18 (Laughter.)

19 MR. GRAVES: Thanks, Pat. I think

20 that -- Randy, Sarah, thank you very much.

21 That concludes the greenstick/harpoon

22 discussion.

1           Abbey and Diane are positioned and  
2 ready to jump right into the outreach plan  
3 update, so we're going to keep this thing  
4 moving as quickly as we can. And while  
5 they're making this transition and Randy, you  
6 can leave the laptop right there. I think  
7 everything is ready to go. They're going to  
8 load one more thing on the laptop. According  
9 to Diane, it's on there.

10           I might just also call your  
11 attention to the fact that in your folders you  
12 have an evaluation sheet. We routinely do  
13 this with Advisory Panel meetings. If you  
14 could take a moment now while we're in  
15 transition to complete that evaluation form.  
16 It's very helpful.

17           (Pause.)

18           MS. COMPTON: Good morning,  
19 everybody. I'm glad we're moving on and I was  
20 able to squeeze in here before lunch. My name  
21 again is Abbey Compton. I've been working  
22 with the Division now for a little over a year

1 on some outreach work and we've got a  
2 presentation for you today of a plan and I  
3 just wanted to before I get started recognize  
4 Sari Kiraly, Randy Blankinship and Diane  
5 Steffen who have worked very closely with me  
6 on this and have really, really poured their  
7 hearts and souls and their time and everything  
8 into it. We're excited to present that to you  
9 today.

10 We're going to start out with  
11 outreach plan development. The plan  
12 development really includes the status, kind  
13 of where we are and a quick overview of the  
14 planning process we've been following. And  
15 then secondly, the plan overview, you should  
16 have a copy of that. I hope you've all had  
17 the chance to see it. And this will just be  
18 a quick review. And then thirdly, we'd like  
19 to open the floor for follow-up discussion on  
20 the website and the website feedback we got  
21 from you last time. I think we're just  
22 looking for a little more clarity on that.

1                   So for outreach plan development,  
2                   here's where we are. We've got a plan that's  
3                   been reviewed by the HMS staff, the Office of  
4                   Sustainable Fisheries Outreach Staff and NOAA  
5                   Public Affairs. And with your input we'll  
6                   consider it finalized, once that's been  
7                   considered.

8                   In terms of implementation, the  
9                   Division is implementing strategies as staff  
10                  and budget resources permit. And we really  
11                  had to make some tough calls in terms of  
12                  prioritization of the outreach resources. I  
13                  see several names for what we've been calling  
14                  that. But essentially, we just had to do some  
15                  cost benefit analysis and really decide where  
16                  can we spend our time and our money. And then  
17                  finally, starting in 2008, we're going to  
18                  develop annual activity plans.

19                  I want to give you a quick  
20                  overview of the larger process. Basically, in  
21                  terms of doing a really comprehensive outreach  
22                  plan, there's research, planning,

1 implementation, and evaluation. So now we're  
2 kind of on the cusp of planning and  
3 implementation. In terms of the research,  
4 here's just a quick overview of what we did.  
5 Comments from the AP and the HMS staff. We  
6 got some comments from you in March. We  
7 evaluated the current activities, that was  
8 kind of what we were looking for was really  
9 looking at what are we doing and what are we  
10 doing well and what can get better.

11 Analyze the outreach needs, and  
12 I'll talk more about that we get into the  
13 plan. And then really focusing on needs that  
14 were identified by more than one source.

15 And we came up with six total  
16 needs and I'll go over what those are.

17 In terms of planning, kind of the  
18 framework we worked with and hopefully you saw  
19 this pattern in the plan when you looked at  
20 it. We wanted to set outreach goals to  
21 address the needs that we had identified.  
22 Identify the priority audience under each of

1 those and then determine the effect, the most  
2 effective strategies for reaching those  
3 audiences. And then assign appropriate  
4 outreach resources.

5 Some of the activities in the plan  
6 have been implemented already. Others are  
7 new, just so you know. The plan was not  
8 designed to address any of the ongoing  
9 outreach activities that the division uses  
10 that are working. Basically, if it's not  
11 broke, don't fix it.

12 The next is outreach plan overview  
13 and I want to lay out the goals for you real  
14 quickly. With goals and needs, it's kind of  
15 a chicken and egg, where do you start, how do  
16 you address your needs without knowing what  
17 your goals are, how do you set goals if you  
18 don't know what your needs are. So just to  
19 get us started, I'm going to go ahead and  
20 throw the goals up there. The first one is  
21 facilitate public understanding of HMS  
22 management division's regulations including

1 public access to clear, complete, concise and  
2 timely information.

3 The second is permit constituent  
4 stewardship of HMS and HMS fisheries,  
5 including HMS management actions and fishery-  
6 dependent research.

7 So under goal 1, we have need 1.  
8 And need 1 is the longest and most complex, so  
9 once we get through this one it will be all  
10 downhill. First is commercial fishermen,  
11 dealers and charter boat owners. And this is  
12 how -- these are the strategies we chose to  
13 address this need with this audience or these  
14 audiences. First is direct mail, and that  
15 remains the most reliable in terms of getting  
16 regulatory information to that audience.  
17 Second is email. We're definitely trending  
18 toward electronic communications to the extent  
19 possible, but we can't rely on it solely yet.  
20 So the resources we'll use are HMS news, sign-  
21 up information on virtually everything that  
22 the Division will send out and that will

1 include letters and faxes and email signatures  
2 and maybe some handouts to support agents.  
3 And this is where the lines between the  
4 strategies get a little blurry because port  
5 agents we also want to use more as a strategy  
6 for getting information out and we want to be  
7 providing more information to the port agents  
8 to share.

9           So next is goal 1, need 1 still,  
10 we've got two more audiences, angling permit  
11 holders and then tournament directors. In  
12 terms of getting information to the angling  
13 community, direct mail, just because of the  
14 sheer numbers made it a bit cost prohibitive  
15 and out of reach, but we are going to rely a  
16 lot on media outreach and we'll coordinate  
17 that with the public affairs office. We'll  
18 also rely on email, sending out HMS news with  
19 sign-up information. We'll send out -- sorry,  
20 I'm not explaining this part very well.

21           Essentially, we want to employ an  
22 email strategy and help get the anglers on the

1 email system, on the HMS news list. We want  
2 to send postcards out and their permit  
3 renewals to help get them on line and using  
4 HMS news.

5 Tournament directors, we want to  
6 basically, we would like to be communicating  
7 with them exclusively through email, through  
8 HMS news, not for this purpose, but there's  
9 lots of face-to-face opportunities. They have  
10 annual meetings.

11 So then goal 1 still, need 1A, we  
12 call this need 1A because it really relates  
13 specifically to the same need, but a specific  
14 outreach resource. We did hear feedback that  
15 some of the government agencies and  
16 constituents who are not yet online would like  
17 to be receiving information by fax. So we did  
18 build that into the plan, to send faxes when  
19 regulatory changes occur to some and it will  
20 probably be in terms of the constituents by  
21 request only.

22 So then for goal 1, need 1B, plain

1 language summaries of regulations such as  
2 those found in the compliance guide could be  
3 more available to constituents. For  
4 commercial fishermen, dealers and anglers,  
5 tournament directors, there are four  
6 strategies. Third party strategy, we'd like  
7 to be working with associations. Regional  
8 outreach staff and states to distribute those.  
9 And in the plan we talk about some of the  
10 rationale for separating the compliance guide  
11 into a commercial compliance guide and a  
12 recreational compliance guide. So we can talk  
13 more about that, if you'd like.

14 Second face-to-face, distribute  
15 those compliance guides at public meetings.  
16 That generally happens anyway. Internet, post  
17 on-line compliance guide with easy search  
18 functions and include links on email receipts  
19 for permits issued on line. So that would be  
20 something new that we'd be implementing,  
21 trying to drive more traffic to those online  
22 compliance guides. And lastly, email. HMS

1 emails for reg changes with links to update  
2 the updated compliance guides. So just  
3 building the link into the existing HMS news.

4 Next is goal 1, need 2. The HMS  
5 website could be easier to navigate and we got  
6 a lot of feedback from you on that last time  
7 and we're looking forward to getting a little  
8 more clarity on that at the end of this  
9 presentation.

10 In terms of the strategies that  
11 we've mapped out thus far, a short term  
12 strategy is building some landing pages and I  
13 think the division does do this for a few  
14 things, for the workshops and I think some  
15 other things, where they basically try to  
16 drive traffic through a URL specifically to a  
17 page, so you don't have to go through the home  
18 page to navigate there.

19 And secondly a site  
20 reorganization. This is longer term and we  
21 want to develop a site map that's very logical  
22 from a user perspective and not just from a

1 staff or a webmaster perspective. And try to  
2 shorten the click stream and work with the CIO  
3 office. There is an ongoing push to  
4 coordinate a NOAA site reorg, so anything the  
5 Division does will be in coordination with  
6 that.

7 Go on to need 3. Compliance with  
8 HMS angling permit requirements should be  
9 increased. And this would focus on  
10 unpermitted anglers. Face to face is the  
11 first strategy. Provide dockside samplers  
12 with talking points a they're able to help get  
13 the word out about what permits are required.  
14 Media, current media. We'll send media  
15 advisories prior to opening day and then  
16 thirdly a third party strategy using inserts  
17 and state license renewal, primarily in the  
18 Southeast and in the Gulf. We think there's  
19 probably a lot of overlap of state license  
20 holders and individuals who probably should  
21 hold HMS permits.

22 Go on to need 4. This was another

1 issue we got a lot of feedback on in March.  
2 HMS staff could be easier to reach by phone.  
3 And for the callers, we would like to be -- we  
4 are moving in the direction of implementing  
5 answering schedules for the field offices.

6 So moving on to goal 2 and just to  
7 reiterate what goal 2 is. It is to permit  
8 constituent stewardship of HMS and HMS  
9 fisheries including participation in HMS  
10 management actions in fishery-dependent  
11 research.

12 Need 5 is constituents could be  
13 better engaged early in the rulemaking process  
14 and I think Randy alluded to some of this  
15 earlier during his greenstick presentation.  
16 Commercial fishermen and dealers is the first  
17 audience. Direct mail, again, the most direct  
18 way to get to them, letters send for potential  
19 need for action. Anglers, charter head boat  
20 owners, tournament directors, NGOs and  
21 academia who want to be relying on email. And  
22 this will be ad hoc emails explaining issues

1 and concerns for the fishery. And then for  
2 all of the constituents who want to be using  
3 third parties and this is where we could  
4 really use the AP's help, to help with  
5 constituent involvement and then face to face  
6 public meetings and the example of the  
7 greensticks, how that's been tested thus far.

8 So just real quickly, I'd like to  
9 take a diversion before we talk about the  
10 final need, need 6 and just give you a quick  
11 overview of what we're doing and what we're  
12 trying to do, what we want to do in terms of  
13 testing this early public participation. HMS  
14 is considering holding more public meetings so  
15 NMFS and stakeholders can communicate sooner  
16 to aid in developing the most appropriate  
17 alternatives and to discuss the need for  
18 potential management action. So stakeholders  
19 can ask questions and provide feedback.

20 The strategy as we said is being  
21 tested for greenstick.

22 The greenstick authorization

1 initiative and the public meetings,  
2 stakeholders had the opportunity to voice  
3 their concerns about increased bluefin tuna  
4 harvest, so it's potentially controversial,  
5 but at this point the Agency is more familiar  
6 with concerns of its stakeholders. So we look  
7 forward to getting any feedback you have on  
8 that effort and any ideas you have.

9 Okay, so the final need, goal 2,  
10 need 6, constituents could be more aware of  
11 HMS management successes. This is something  
12 else the AP brought up in March about getting  
13 the word out more on the things that have  
14 progressed. So for online constituents, NGOs  
15 and academia, we'd like to be using more  
16 email. We'd like to send an annual email  
17 highlighting the successes of the previous  
18 year through HMS news. And then anglers,  
19 commercial fishermen and dealers, we would  
20 like to be using a media strategy and develop  
21 FAQ sheets in coordination with the AP for  
22 relevant media.

1                   If you have comments or  
2 suggestions for this pan before it's  
3 finalized, please send those to Diane Steffen  
4 and here's her email address,  
5 [diane.steffen@noaa.gov](mailto:diane.steffen@noaa.gov) and you can also send  
6 those by mail.

7                   I'll move right into the -- let's  
8 go right into the questions we have on the  
9 website. This is a terrific opportunity for  
10 the Division to get more detail on this.  
11 Focus groups are very expensive, and although  
12 time is very short it would be great to get  
13 some details from you on the HMS website, how  
14 we can make that more user-friendly for you.

15                   So the questions we want to mainly  
16 look at and we're not limited to this, of  
17 course, but we want to know if you see a  
18 distinction between the larger NMFS website  
19 and the HMS website, if that's different to  
20 you or if they run together, where the user is  
21 entering the site so how do you get there? Do  
22 you go right to [nmfs.noaa.gov](http://nmfs.noaa.gov) and then try to

1 navigate to HMS or do you have HMS bookmarked.  
2 Those are the kinds of things we want to know.

3 If there's information that's  
4 specifically difficult for you to find that  
5 you're looking for and then basically what  
6 pages do you typically visit and then within  
7 the NMFS context are there other divisions,  
8 pages, that you find more user friendly. If  
9 so, we'd like to know that.

10 So we don't have the site live,  
11 but I have some screen shots which might help  
12 give us a visual. So hopefully, I'll be able  
13 to pull that up. Okay.

14 (End of Tape 15; begin Tape 16)

15 Is it on now? So this is a shot  
16 of the NMFS home page. And is this typically  
17 where people come in? I mean do you come here  
18 first? No? I'm seeing a lot of heads no.

19 Paul, do you want to recognize the  
20 hands?

21 PARTICIPANT: Sorry, you're just  
22 kind of asking for some ad hoc feedback on

1           this?

2                           MS. COMPTON:   Yes.

3                           PARTICIPANT: Okay. All right. So  
4           just, Ron, Ken, Russ, Gail, Terri.

5                           MR. CODDINGTON:   Ron Coddington.

6           Most of our users are entering from the page  
7           you have right here, and the problem they're  
8           having is they're looking on this page for  
9           highly migratory species. Of course, they've  
10          got to go to sustainable fisheries, then we  
11          tell them, then you look up on the top bar,  
12          highly migratory species doesn't stand out  
13          very much. It's almost a light blue and a  
14          dark blue background. It's very, very small.

15                          One suggestion that I think would  
16          help our particular users is, and I don't know  
17          how many other links there are from the  
18          sustainable fisheries, but if highly migratory  
19          species is up in that upper right hand corner,  
20          our guys would be able to navigate the site.  
21          We're finding that -- I get a lot of phone  
22          calls from people that say, how do you get

1           there, and I say go to the right hand side,  
2           sustainable fisheries, look for highly  
3           migratory species across the top of the next  
4           page, and click to get in. Once they're on  
5           the HMS page, things seem to be pretty easy  
6           there for our users. They're able to go into  
7           the swordfish specifically, or the breaking  
8           news pretty easy. But it's getting to that  
9           HMS page that's causing problems.

10                   MS. COMPTON: Okay, when you said  
11           upper lefthand corner, do you mean the blue  
12           bar that says, About Us?

13                   MR. CODDINGTON: I mean the upper  
14           right hand side, right under About Us,  
15           sustainable fisheries is where we go, and then  
16           we get to that page, and then follow it to  
17           highly migratory species. If we just had  
18           highly migratory species on that front page,  
19           so it's one click away, our guys would be able  
20           to navigate it better.

21                   MS. COMPTON: Okay, got it.

22                   PARTICIPANT: Thanks, Ron. Ken?

1           MR. HINMAN: I start at that same  
2 page myself as far as what I've got  
3 bookmarked. I do a lot of other things  
4 besides HMS, so I visit the NMFS site to find  
5 other things.

6           I know how to get to the HMS site,  
7 but my problems are with both the NMFS site  
8 and the HMS site, and I don't know -- I'm  
9 probably not any smarter or any dumber than  
10 the average person navigating this thing, so  
11 hopefully, or maybe I am dumber than most of  
12 them. I'll find that out in a minute. I have  
13 a lot of trouble when -- the notices, I don't  
14 have the problem with breaking news, the  
15 recent actions, but if I go looking for a  
16 particular person, somebody has told me that  
17 you need to talk to so and so because they  
18 know about squid or they whatever, and they  
19 work for NMFS, I think they're in the  
20 Northeast, whatever. And I know the name, but  
21 it always takes me a long time to find them  
22 and how to contact them, as well as meetings.

1           Calendar stuff, I've seen calendars in there,  
2           and I don't know whether I've just stumbled on  
3           them, but I have a hard time getting to that,  
4           and maybe I'm just doing something wrong, but  
5           it's not just -- I get notices about meetings  
6           for panels I'm on, but if NMFS is having  
7           meetings on other things I hear about, and I  
8           want to find out about them, I go to the site,  
9           and I try to find something about that  
10          meeting, and I either can't, or it takes me  
11          forever. So that's just my personal problems.

12                   MS. COMPTON: Thank you.

13                   PARTICIPANT: Thanks, Ken.

14                   MS. COMPTON: Okay --

15                   PARTICIPANT: Abbey, there were a  
16          few more people. Russ, Gail, and Terri, and  
17          if I missed anybody, just let me see your hand  
18          now.

19                   PARTICIPANT: Look for the NOAA  
20          people locator, Ken. It's pretty easy.

21                   I've got a link to it now. I  
22          don't know where it is.

1 (Laughter.)

2 I mean, I don't know where it is,  
3 but I know how to link it, because I just go  
4 to my favorites, and I click it. That's my  
5 comment. I haven't even -- I don't even  
6 recognize that page. It's been so long since  
7 I've been to the NOAA home page. I basically  
8 link directly either to HMS, or statistics, or  
9 the pages that I access, so I miss anything  
10 that's on this, quite frankly, unless it's  
11 something --

12 MS. COMPTON: And just to clarify,  
13 this is the NMFS home page, this is -- NOAA  
14 has another home page.

15 PARTICIPANT: On the NOAA locator,  
16 I think that's recently been changed. And so  
17 we can send that out to folks, what page  
18 that's on.

19 PARTICIPANT: It's always at  
20 noaa.gov. You can always get to the NOAA --

21 PARTICIPANT: You have to know the  
22 person's name and stuff like that, but yes.

1 That's another easy way to at least try.

2 PARTICIPANT: On Russ's point just  
3 -- there are people who, and you certainly if  
4 you've been to the site before, and you find  
5 something, you can bookmark it, but I think  
6 you have to not play -- for this, play to the  
7 people who are professionals, or people who  
8 are constantly using your site, but for the  
9 people who come to your site looking for  
10 something, and have never been there before,  
11 or do it very rarely. Bookmarking it once  
12 you'VE found it is not an answer for them, so  
13 yes.

14 PARTICIPANT: Gail and Terri.

15 MS. JOHNSON: Thank you. The  
16 people locator, I guess if you have updated  
17 it, I'll look, because I'm one of these  
18 unfortunate people that can't remember names  
19 worth beans, so I'm always trying to find  
20 that. Also, finding references, or finding  
21 specific papers, such as with the pelagic  
22 longline take reduction team, there's new

1 information for there, and there was the new  
2 information on turtles, and I had a heck of a  
3 time finding it.

4 Going off the website a little  
5 bit, the compliance guides are invaluable.  
6 Thank you so much for them. And then a little  
7 URL for more information, or for the picky  
8 parts, read the FR. And on the port agents,  
9 I am really happy that you are deciding to use  
10 those guys, because there was a fellow in  
11 Portland in our ground fishing days that had  
12 so much information, but it all came to us.  
13 Everything that we would tell him regarding  
14 what we thought were really important things  
15 about ground fish way back when, before  
16 everything started going downhill, it never  
17 got up the line, so use your port agents in  
18 both directions. Thank you.

19 PARTICIPANT: Thanks, Gail.  
20 Terri.

21 MS. BEIDEMAN: Yes, Terri  
22 Beideman. I just wanted to echo also that if

1           you don't bookmark and you're just moving  
2           around, especially because there's been some  
3           changes, I'll try finding archived documents.  
4           And you find new stuff, you might be okay.  
5           But some of the old stuff, I have old  
6           bookmarks that still work, knock wood, and so  
7           anyway, I have difficulty with finding some of  
8           those old documents.

9                           And at one point, someone was  
10          asking me who was on this panel, and I had a  
11          heck of a time finding the panel's page, and  
12          the list of -- and you know, so I think it's  
13          just -- there's a lot of information. It's  
14          hard to -- where should it be. But I do  
15          think, if you had highly migratory, it's kind  
16          of its own little sphere. And we think we're  
17          really important. Put us on the front page.  
18          Thanks.

19                           (Laughter.)

20                           PARTICIPANT: Thanks, Terri.  
21          Anybody else with questions or comments for  
22          Abbey and Diane?

1                   Abbey, does that conclude your  
2 piece, or do you have a follow up?

3                   MS. COMPTON: A couple more quick  
4 questions would be good. I do have some  
5 screen shots of some of the other pages. If  
6 you do click sustainable fisheries, and then  
7 you come to this page, then highly migratory  
8 species is at the upper lefthand corner. And  
9 then on to this page, and this is what the  
10 home page looks like.

11                   I think there's nine choices there  
12 on the left, 9 or 12, something like that. So  
13 can you tell me which of these pages you're  
14 most often clicking to? Which ones do you go  
15 to?

16                   PARTICIPANT: You mean within this  
17 highly migratory species page?

18                   MS. COMPTON: Yes.

19                   PARTICIPANT: What do you click on  
20 the left navigation panel?

21                   MS. COMPTON: Yes, typically on  
22 the left, and then if you have some on the

1 right that you click, too, I'd like to know  
2 about that. When you come here, where do you  
3 go first?

4 (Pause.)

5 MS. COMPTON: I'm hearing breaking  
6 news and regulations. Are those kind of the  
7 two favorites? ICCAT?

8 MR. : I don't think  
9 people can read the left -- those items. If  
10 you can read them off real quick.

11 MS. COMPTON: Yes. It's breaking  
12 news, bycatch reduction, protected species,  
13 regulations, permits, reporting forms,  
14 documents, workshops, ICCAT, Atlantic HMS news  
15 list, contact, and Federal Register notices.

16 So I've heard so far that kind of  
17 the pages to go to are breaking news,  
18 regulations, and ICCAT. Permits. Reporting  
19 forms.

20 PARTICIPANT: Rusty, go ahead.

21 MR. HUDSON: I have to recommend  
22 workshops a lot to people.

1 PARTICIPANT: Ken, go ahead.

2 MR. HINMAN: The column on the  
3 right, and I've made this mistake a lot. It  
4 doesn't really, there's no real heading to say  
5 what those particular links are to other than  
6 to those subjects, but if you were to go on to  
7 that site and say you were looking for  
8 information on the latest, which would  
9 actually be under breaking news on the EFPs or  
10 something, and if you clicked on exempted  
11 fishing permits there, I believe you end up  
12 getting a lot of information about what they  
13 are and how to apply for them, and all those  
14 things, so then you've got lots.

15 And then if you go to the tunas or  
16 sharks, you're not going to find the  
17 regulations or the breaking news about those  
18 things. So I think there's some  
19 differentiating problems where, if people  
20 come to this page, they're not automatically  
21 going to know whether it's the columns on the  
22 left or on the right that are going to hold

1 the information they're looking for.

2 They might just be thinking in  
3 terms of species and subjects, and that would  
4 be the place to find the news or the  
5 regulations that pertain to those fish. But  
6 they would actually find them on the left  
7 somewhere. Is that true?

8 MS. COMPTON: So that's just kind  
9 of functionally vague, you don't really know  
10 what you're going to find when you get there.  
11 Okay.

12 MR. HINMAN: Yes, and what is that  
13 link that just says tunas? I mean if it's  
14 actually information about tunas, about the  
15 fisheries, about the landings, which I think  
16 it is, then it probably should say that  
17 rather than you're not going to find breaking  
18 news about regulations or workshops or  
19 meetings that are going on about tunas on  
20 that link.

21 PARTICIPANT: Or put a scroll down  
22 bar under each of those that subdivide it

1           into different categories.

2                       PARTICIPANT: That would work.

3                       PARTICIPANT: Okay, Gail, go

4           ahead.

5                       MS. PETERSON: I just thought of

6           another thing that would be really helpful.

7           Sometimes it's nice to know what's come in

8           for imports, and if there was -- even if it's

9           a secondary link to get to the Customs and

10          the trade information, what's come into the

11          United States from what country, and how much

12          over the year.

13                      PARTICIPANT: Thanks, Gail.

14          Anybody else? Feedback for Abbey?

15                      Ellen?

16                      MS. PEEL: Is there -- there's not

17          a place that gives you current, say, billfish

18          landings, I mean, as we work toward the 250,

19          is there? I know I occasionally have people

20          say, where are we? Are we anywhere close to

21          the 250? And I go, no. It's not there.

22                      MS. COMPTON: No, it's not, but we

1 are tracking it, and that's something we  
2 could think about developing.

3 Okay, final thing I'd like to ask  
4 is, you know, for the other, get back to the  
5 home page, are there other sites that you see  
6 on nmfs.noaa.gov that you find really user  
7 friendly and useful? Is there any other  
8 model out there that we can follow that you  
9 would say, if HMS was more like this, that  
10 would be great.

11 I'm not seeing a whole lot.

12 PARTICIPANT: Go ahead, Lisa.

13 MS. GREGG: On the  
14 nmfs.permits.gov, there's a Q&A section if  
15 you know where to look for it. Getting to it  
16 is not very friendly, but I know a lot of  
17 times, especially in Florida, the questions  
18 that people have are like what species  
19 requires that angling category permit, and  
20 there are -- in the Q&A section of that NMFS  
21 permit section, you know, website, it's got  
22 some very good Q&A, you know very good

1 questions and answers. So I think that if  
2 you had a link to it, or maybe copied it and  
3 pulled it onto this website, it probably  
4 would be very helpful.

5 PARTICIPANT: Like Frequently  
6 Asked Questions?

7 MS. GREGG: Yes, it's Frequently  
8 Asked Questions, or Q&A. I can't remember  
9 what it was. It might be FAQ. That might be  
10 what it is. But it's kind of buried on that  
11 site, too, so I mean --

12 MS. COMPTON: Okay.

13 MS. GREGG: But I know that's  
14 something that I give out all the time.

15 MS. COMPTON: Great. Thank you.  
16 If there's nothing else, thanks very much for  
17 your time. I appreciate it.

18 MS. SCHULZE-HAUGEN: All right, so  
19 I'm going to try something new, where we've  
20 got a presentation that I haven't seen since  
21 this morning, so you'll have to bear with me  
22 a little bit. No it's not. So give me a

1 minute to load it up, and what we're trying  
2 to do is kind of recap what we've heard, and  
3 maybe I'll ask Sarah to do that.

4 You know, kind of the take away,  
5 kind of summarizing where we are, some of the  
6 things that you should expect to see from us  
7 in the next six months or so before we might  
8 have another AP meeting, and then kind of  
9 some of the suggestions coming out of the  
10 panel.

11 So actually, before I do that, and  
12 that will give us a little more time to load  
13 the presentation, were there any other issues  
14 that folks wanted to raise? I think there  
15 was at least one. So this would be a point I  
16 think we could kind of have a little open  
17 forum. So please, hang in there a little bit  
18 longer. I know people are starting to  
19 disappear. But we're almost there.

20 MR. KAVANAGH: First of all, this  
21 is my first AP meeting and I'm --

22 PARTICIPANT: Go ahead and just

1 for the record --

2 MR. KAVANAGH: Excuse me, Jay  
3 Kavanagh, Hatteras, North Carolina.

4 Again, this is my first AP  
5 meeting, and I'm glad to be here, and it's a  
6 big eye opener for me, and I understand how  
7 things get done a little bit better. Or not.

8 (Laughter.)

9 I have a couple of issues that  
10 weren't on the agenda that I'd like to  
11 discuss, the first being working waterfronts.  
12 In North Carolina, and I assume, and I'm  
13 pretty sure this is happening throughout the  
14 Southeast, if not the whole East Coast, we're  
15 losing our working waterfronts. Fish houses  
16 are disappearing. Even charter docks are  
17 disappearing. If we have no place to conduct  
18 this commercial activity, there's no reason  
19 for a highly migratory species to exist. I'd  
20 really like to see a proactive approach from  
21 the Federal Government to preserve our  
22 working waterfront.

1                   We in Hatteras have begun a state-  
2                   based initiative to hopefully secure some  
3                   state funds to form co-ops, and allow  
4                   commercial fishing organizations and charter  
5                   boat organizations to possibly purchase  
6                   working waterfronts and maintain their  
7                   working waterfronts.

8                   Unfortunately, in a free market  
9                   economy, real estate is often more valuable  
10                  in other uses, and so this is a big problem.

11                  The other comments I have are  
12                  regarding the circle hook rule. In Dr.  
13                  Hogarth's opening comments, he basically said  
14                  we're going to get circle hooks 2008 as  
15                  written. In North Carolina, we're very  
16                  disappointed to hear that, if it's  
17                  implemented across the board like it is  
18                  written.

19                  In North Carolina, we feel kind of  
20                  blindsided by this regulation. We've been  
21                  fishing traditional method for a long time,  
22                  and we really see no need to change that, and

1 I'll elaborate more on that in the future.  
2 There's been a lot of support for the  
3 tournament circle hook rule, and I feel like  
4 this is from a group that is already doing  
5 it, and it's sailfish tournaments in Florida  
6 where they're mostly fishing small naked  
7 baits, where circle hooks are definitely the  
8 way to proceed.

9 In my experience, circle hooks are  
10 highly effective when utilizing natural baits  
11 without a lure on light tackle. And we refer  
12 to these in North Carolina as dink baits when  
13 targeting white marlin and sailfish. There's  
14 been little or no significant -- there's been  
15 no research with respect to heavy tackle  
16 fishing on combo baits, and I'm referring to  
17 large lures with a dead bait trolled on heavy  
18 tackle at a higher rate of speed.

19 North Carolina Governor's Cup this  
20 year voluntarily instituted a rule in seven  
21 tournaments, is that correct? Five of the  
22 seven tournaments adopted a circle hook rule

1           that basically said, if you're fishing 80  
2           pound test main line, and under 200 pound  
3           test leader, that's an and, with a dead bait,  
4           you are required to use circle hooks.  
5           Anything over that, a heavy tackle, you're  
6           allowed to fish a J hook.

7                         And Randy collected some very good  
8           data, and he's in the process of hashing it  
9           out, but I'm no statistician, but from  
10          looking at the numbers, heavy tackle combo  
11          bait fishing is not harmful to -- it's not  
12          detrimental to post-release mortality of  
13          billfish.

14                        If this rule goes forward, a lot  
15          of the tournaments in North Carolina will  
16          change radically. My home town tournament,  
17          the Hatteras Village Offshore Open, is a  
18          Governor's Cup event, and the Hatteras Civic  
19          Association is our local community, Bettermen  
20          Association, and that's their major  
21          fundraiser for the year. And I think we'll  
22          see a severe decline in participants because

1 a lot of fishermen, part-time fishermen, are  
2 not really up on how to use circle hooks.  
3 And I think it will drive them away, and I  
4 think it will drive away participation.

5 Another thing that will happen, I  
6 believe, is -- and just talking with my  
7 fellow fishermen around the dock, a lot of  
8 these tournaments will become lure fishing  
9 events, meaning that they will troll  
10 artificials at a high rate of speed, and a  
11 lot of people will use a lot of different  
12 hook sets in lure fishing. In strictly lure  
13 fishing, no bait fishing.

14 I use a single hook rig on all my  
15 lures, but I know a lot of people use double  
16 hook rigs, and I've seen blue marlin caught  
17 on double hook rigs that were gouged in the  
18 eye. I caught one a couple of years ago that  
19 the two-hook rig together had closed his  
20 mouth in such a way that, during the fight,  
21 he was unable to ventilate, and he died in  
22 the fight because it was a double hook rig

1 and his mouth was closed shut.

2 So I believe secondary result of  
3 this rule, due to increased lure fishing  
4 might be, in fact, an increase in blue marlin  
5 mortality.

6 Circle hooks are, again, let me  
7 reiterate, circle hooks are great when you're  
8 fishing light tackle with small naked  
9 ballyhoos. About three years ago, when  
10 circle hooks were on the horizon, I went out  
11 and hung out with a buddy of mine in Costa  
12 Rica, and fished with him for a couple of  
13 weeks, and saw it firsthand, and I was a  
14 proponent, and I brought it home to North  
15 Carolina, and up and down the dock, we  
16 voluntarily started circle hook fishing on  
17 charters when targeting white marlin and  
18 sailfish with small naked ballyhoos on light  
19 tackle. Dink bait fishing is what we call  
20 it.

21 Another problem I have with the  
22 rule is you're leaving it up to tournament

1 operators to enforce the regulation, and I am  
2 a tournament operator as well as a tournament  
3 participant. And that's extremely  
4 problematic. You know, basically this is an  
5 unfunded mandate, you're leaving it up to us  
6 to enforce it, and we're hearing from our  
7 constituents and participates that they're  
8 not happy with the way things are going.

9 And in brief conversations I've  
10 had with John Graves and Ms. Peel, I don't  
11 think there is much opposition to allowing  
12 for a heavy tackle combo exemption to the  
13 circle hook rule. And again, this is a  
14 traditional fishery in North Carolina, and  
15 this rule will essentially end traditional  
16 fishery. Thank you.

17 PARTICIPANT: Thanks, Jay. Ellen?

18 MS. PEEL: Ellen Peel. Well, I  
19 certainly want to echo what Jay has said. We  
20 have been saying it. TBF is a strong  
21 proponent of circle hooks in the right  
22 situation. We've purchased and given out

1 over 150,000 of them. However, pulling a  
2 combo bait, and we have pictures from the  
3 '70s, you're going to hook the fish most  
4 times in the bony part of the mouth or in the  
5 hinge of the jaw. We have been expressing,  
6 you know, wanting the Agency to fund research  
7 on the combo bait. It is different. The  
8 fish strike the bait differently.

9 The Agency, we understand, and  
10 Margo, you can correct us, you have given a  
11 large sum of money for 40 or 60 satellite  
12 tags to look at combo baits. However,  
13 there's a difference in the size of combo  
14 baits pulled in Venezuela, as opposed to  
15 what's pulled in the Gulf of Mexico and off  
16 of North Carolina. You can pay \$240,000 or  
17 \$300,000, but you're still not going to  
18 address the issue that Jay is sharing with  
19 you, that we have been sharing with you. TBF  
20 is fortunate in having some of the top  
21 captains around the world serve on our  
22 captains meeting, panel. You know, and

1           they've been writing articles. Some of them  
2           say, look, I can out-fish anyone with a combo  
3           bait, with a naked bait, but anglers are  
4           creatures who don't want to change, and most  
5           of them did not go to the public hearings  
6           over two years.

7                         Why doesn't the government have  
8           workshops, or we're going to have some with  
9           these top captains who can go out and work  
10          with the anglers, but you need to show the  
11          research on large blue marlin with large blue  
12          marlin baits. Venezuela will not give that  
13          to you.

14                        And one of the top captains in  
15          Venezuela is from North Carolina, and we've  
16          had these conversations, and he agrees. So  
17          we want to call on the Agency to look at  
18          this. I mean, we're still proponents of  
19          circle hooks, and we've worked with our  
20          captains, and working with the hook  
21          manufacturers, coming up with some parallel  
22          specs on what would gut hook and what would

1 not. However, the combo rig is a different  
2 animal, and if you're going to spend your  
3 research money, try to do it where you're  
4 going to get some meaningful response. Don't  
5 waste federal public money.

6 PARTICIPANT: Thanks, Ellen.

7 MS. COMPTON: Just to respond to  
8 that, we have awarded some funds under a  
9 grant for doing some post-release survival  
10 testing on blue marlin. That was to Dr. John  
11 Graves, and unfortunately, he's not here to  
12 defend himself on his choices, and how to  
13 design that research project. I believe that  
14 you have communicated your concerns to him.  
15 I don't know the result of that, whether he  
16 has modified his research plan or not.  
17 That's something that maybe we can talk about  
18 at the IAC meeting.

19 This is a point, I know, that has  
20 been a source of, a couple years now, of  
21 frustration and concern, and that's one of  
22 the reasons that we've been working with hook

1 manufacturers who are funding the research,  
2 but as Bill said very strongly, the rule is  
3 going into effect, unchanged, as of January.  
4 And so the additional time for the temporary  
5 suspension for people to become familiar with  
6 it, if they didn't avail themselves of that  
7 time, that was their choice. That was the  
8 intent of the temporary suspension, but I  
9 don't want to leave the impression that we're  
10 walking away from the issue. We're  
11 continuing to look at it. Funding it, I mean  
12 it's not a short-term, overnight solution.

13 If there's any data that's  
14 available, and Ellen, I was looking at the  
15 article comparing the circle hooks, data  
16 collected in the tournaments, we welcome  
17 that. Please share it when you're ready.  
18 We'll take a look at it, and evaluate it to  
19 see if any changes are warranted. I mean,  
20 rulemaking is a continual process.

21 MS. PEEL: Yes, snf it has to have  
22 open mindedness, and be able to look at the

1 facts. Graves' study has been postponed  
2 because the owner of the boat sold his boat,  
3 and so there will not be a boat available  
4 with whom he was planning on working until  
5 February, which is after the rule goes into  
6 effect. So you've got a lot of money out  
7 there for a project that won't be done until  
8 after the mandatory implementation date.  
9 Again, there are plenty of boats in the Gulf  
10 of Mexico and off of North Carolina who would  
11 be more than willing to participate in this  
12 research.

13 MS. COMPTON: That's news to me.  
14 I wasn't aware of that. And I would  
15 encourage you to talk to Dr. Graves, and I'll  
16 do the same, but we don't have complete  
17 control over that in a grant setting. It's  
18 how things work. So we can share the  
19 concerns, and maybe we'll make some progress  
20 there.

21 I would remind folks that one of  
22 the things I'm trying to tell you

1 consistently is the amount of time it takes  
2 to do a rule, five to six months. And so  
3 we've got to keep that in mind for regulatory  
4 changes that you like. You had a target date  
5 of when you'd like it, then we need to get  
6 the ducks in a row and start things going,  
7 the data in. You know, whether John was  
8 collecting data this summer, it was  
9 questionable whether there would be any  
10 results that would be warranted for a rule  
11 change or not by January, anyway,  
12 particularly if we have to back that up to  
13 six months to last summer, this past summer.  
14 So unfortunately, I know that people aren't  
15 real happy about this. There's a real mix of  
16 feeling out there on this. I guess that  
17 we're not walking away from the issue, but  
18 you know, there is going to be some  
19 additional time the rule is going into  
20 effect.

21 So I guess I would say that we can  
22 continue to talk about it. I don't know if

1 we want to take the time now. I know people  
2 are starting to --

3 PARTICIPANT: We have four more  
4 people on the list. I suggest we keep  
5 moving. Randy, Rick Weber, Rita, and Rich  
6 Ruais.

7 Randy?

8 MR. BLANKINSHIP: Margo, I won't  
9 beat a dead horse to death here. I'm glad to  
10 hear that National Marine Fisheries Service  
11 is still going to be looking at things. We  
12 did collect some data in North Carolina.  
13 We'd have liked some help up and down the  
14 coast.

15 One of my major concerns right now  
16 is the recreational fishery as a whole. I  
17 mean, Bill pretty much said at the beginning  
18 of this meeting that you all were looking at  
19 it. So I hope that there will be a great  
20 deal of research conducted to see what the  
21 effect to the recreational fishery will be.

22 We did collect some data. We will

1 be glad to share that with everybody. I  
2 don't know if it's enough data points to make  
3 any bold statements with, but it was more  
4 than anybody else did. There is a workshop  
5 in North Carolina that we have invited some  
6 folks from National Marine Fisheries Service  
7 to, to help us find another source of funding  
8 to look at the general charter boat catches,  
9 which are mainly the target species in North  
10 Carolina is dolphin, tuna, and wahoo.

11 Billfish happened to be a glorified bycatch  
12 of that fishery. Everybody is glad to see  
13 them, but the main target of those fisheries  
14 are dolphin, tuna, and wahoo. And I have  
15 invited the NMFS folks, HMS folks to come  
16 down and participate in that workshop to try  
17 to make the best project that we can make to  
18 collect that information that will help us  
19 provide some answers in which directions we  
20 need to go.

21 I'm not opposed to circle hooks.

22 As a matter of fact, I am on the DVD talking

1           about circle hooks. But anyway, I'll let  
2           this go for now. I would like to thank the  
3           HMS crew for working on the greenstick issue.  
4           It's very important in North Carolina, and  
5           we'd like to thank you for that.

6                         Thank you.

7                         PARTICIPANT: Thanks, Randy.  
8           Rick, Rita, and Rich.

9                         MR. WEBER: Rick Weber. Ellen  
10          allied herself with one half of Jay's  
11          comment. I'd like to take a moment just on  
12          the other. Assuming the rule goes through,  
13          we need more guidance. I've been begging for  
14          more guidance. I'm looking at the compliance  
15          guide right now. I don't think that's a  
16          circle hook by the definition. Perpendicular  
17          should be 90 degrees. It's 85. It's close,  
18          but as a tournament director, if I say circle  
19          hook, and here's the definition of a circle  
20          hook, and I disqualify somebody's fish, where  
21          -- I feel like I can get taken to court over  
22          this.

1                   I need you to give me a list of  
2                   what is -- if you can't get the definition  
3                   done by the time the rule goes in, at least  
4                   give me a good long list of what you deem is  
5                   a circle hook by manufacturer and style  
6                   number, something that I can turn to, because  
7                   I'm right with Jay, as I've said before, I  
8                   feel like you're punting. You know, I mean,  
9                   we can't quite figure it out. Let's hand it  
10                  off to private industry to figure out what a  
11                  circle hook is. But you better have it,  
12                  because it's mandatory.

13                  What do I do with this? Sorry,  
14                  Margo. Back at you.

15                  MS. SCHULZE-HAUGEN: Well, as I've  
16                  said before, we've been talking with the hook  
17                  manufacturers. I think we got off to a great  
18                  start. And it hasn't moved as quickly as I  
19                  hoped it would by this point, but we are  
20                  continuing to work with them. We have heard  
21                  the need loud and clear for this. It's the  
22                  kind of thing that we have to do right, or

1 we're vulnerable for some actions.

2 PARTICIPANT: Me, too.

3 MS. SCHULZE-HAUGEN: I understand.

4 (Laughter.)

5 MS. SCHULZE-HAUGEN: And I hear  
6 you, and we're working on that. So stay  
7 tuned.

8 MR. WEBER: We're just in  
9 agreement. You can't take what you're afraid  
10 of being sued over, and hand it off to me,  
11 and say you guys go figure it out. I'd like  
12 to see -- you're hedging a little bit still,  
13 and you have to, I understand. But I'd like  
14 to hear something from the Agency that says,  
15 by the time the law goes in, we will have  
16 clear guidance for you.

17 When you did the circle hooks on  
18 the longlines, you at least gave them a  
19 manufacturer and a brand that you deemed to  
20 be -- no? Straighten me out there.

21 PARTICIPANT: With the longlines,  
22 we had very tight specs in there that were

1 actual measurements, but because of the range  
2 of hook sizes that could be used by the  
3 recreational, we couldn't do that. So when  
4 we specified the -- the basic circle hook  
5 definition is the same for both. It applies  
6 across the board. However, we then defined  
7 what a 16 aught and an 18 aught were very  
8 tightly. But because there's a much larger  
9 range of sizes --

10 MS. SCHULZE-HAUGEN: You might  
11 want to look at those specs for the longline.  
12 They're very specific, and there were real  
13 concerns from the hook manufacturers that  
14 that level of specificity would interfere  
15 with their ability to innovate and market  
16 their particular product, and do what they  
17 want to do for their purposes.

18 So we're working on it.

19 PARTICIPANT: We've got a few  
20 people in the queue here. Rita, Rich, Dewey,  
21 Russ, and Ellen, I saw you. Okay.

22 So Rita Merritt, you're up.

1 MS. MERRITT: Thank you. I'm  
2 going to take off my South Atlantic hat, and  
3 just make some general comments. There's  
4 been enough said, and I don't want to repeat  
5 it all, again. We are in an economic  
6 disaster, and I appreciate the fact that  
7 amendment 2 recognizes that, that we need to  
8 keep that in mind, that -- I think the words  
9 are, may be economic disaster, but we are in  
10 a number of ways, and I personally feel that  
11 this has been caused by NMFS over the years.  
12 I'm not blaming people here. It's just part  
13 of the whole political thing that I see, and  
14 the bureaucratic kinds of things that just  
15 happen when you're trying to deal with rules  
16 in different sectors, and trying to please  
17 everybody.

18 I think that sometimes we just are  
19 going to have to be a little bit more  
20 creative about how to prevent this economic  
21 disaster that the United States, not just  
22 North Carolina, which is definitely facing

1           it, not just swordfishermen, but it's just  
2           the United States. And it's shown in the  
3           Magnuson-Stevens Act, we're supposed to keep  
4           in mind the economic impact. There's not  
5           enough weight put on it.

6                         There's also not enough weight put  
7           on the fact that part of managing fisheries  
8           has to do with supplying food to our nation,  
9           and I believe in the global economy, but we  
10          still have to look out for ourselves.

11                        But I would like to just recommend  
12          a few things, that we focus specifically on  
13          the data, good science, and enforcement, and  
14          that should help us further along in the  
15          ultimate goal that I think everybody here  
16          has, everybody who deals with marine life at  
17          all has. And that is to save the resource.

18                        Money has come up in more than one  
19          situation here. It's all about money, no  
20          matter how you look at it. We need to get  
21          creative about how we get money to get the  
22          science and get the enforcement, and I don't

1 have the answers. I'm just tossing that out  
2 as a comment. Thank you.

3 PARTICIPANT: Thank you, Rita.  
4 Rich.

5 MR. RUAIS: I really wish Dr. John  
6 Graves was here right now, because I recall  
7 at our last Advisory Panel Meeting there was  
8 very, very strong unanimity, as I recall it,  
9 maybe there was a dissenter or two that I  
10 missed. There might have been a dissenter or  
11 two, and it was based upon his research, and  
12 the Advisory Panel was overwhelmingly against  
13 NMFS postponing the rule for the  
14 implementation of the circle hooks in the  
15 tournaments, definitely against NMFS doing  
16 that. And it was largely based on Dr. John  
17 Graves' research, which suggested that white  
18 marlin, a species that was under endangered  
19 status review, that an additional 450 plus  
20 white marlins would die in the winter  
21 fisheries in the winter tournaments if that  
22 circle hook rule was not put in place, and

1 many of us were absolutely blown away and  
2 shocked after coming out of that meeting, and  
3 finding that the postponement indeed went in  
4 effect with all else that had been going on  
5 about the concern over white marlin, and the  
6 science that we had at that time which, if  
7 John were here, maybe he could educate me and  
8 tell me I was all wrong, and we were all wet.  
9 But as far as I know, with that postponement  
10 in place, we lost another 450 white marlin  
11 because of non-use of circle hooks.

12 MS. SCHULZE-HAUGEN: If I could  
13 just respond to that quickly. I think the  
14 discussion we're having right here reflects  
15 that there was not unanimity among the  
16 constituents. There was very strong support  
17 for not suspending it at the AP meeting, but  
18 that does not reflect the entire universe of  
19 constituents, and we're hearing now from some  
20 of those that I think the individuals knew,  
21 but the region and the constituencies were  
22 represented before. But so -- that's the

1 kind of comment that we look at, all of it.  
2 The AP is definitely a major force, but it's  
3 not the only voice. So it's the kind of  
4 thing that we have to look at, and to Bill's  
5 point earlier that, you know, we listen. We  
6 don't always do what's requested, but we  
7 definitely do listen. And this discussion,  
8 in particular, is reflecting the variety of  
9 comment that is out there.

10 MR. RUAIS: If I could just, in  
11 direct response to that, and I won't name  
12 names, but I distinctly recall one of the  
13 major foundations that's been involved in the  
14 debate suggesting that the rationale that the  
15 Agency was using to talk about postponing it  
16 didn't pass the straight-face test, or the  
17 smell test. I mean, that's how strong it  
18 was.

19 And I know you and I, Margo, have  
20 had this conversation in the past, and that  
21 there were post AP meetings, and obviously we  
22 weren't, and I'm not say we should have been,

1 notified of the results of those meetings,  
2 but to actually then see in the register the  
3 change given what, and I disagree with you a  
4 little bit in terms of your suggestion that  
5 it wasn't as strongly in favor. And someone  
6 can go back to the record and look. The  
7 number of commenters in favor of the rule  
8 going into effect and not being postponed was  
9 much greater than maybe the few that said,  
10 hold on. That's enough.

11 PARTICIPANT: Rich, thank you.  
12 Dewey. And I think as of right now --

13 MR. HEMILRIGHT: I have just a  
14 couple of comments. I want to thank the  
15 National Marine Fisheries for finally doing  
16 something on the greenstick issue, and maybe  
17 getting it out of the way. A lot of times it  
18 seems a lot repetitious on things that you  
19 all have to do.

20 The second thing is is there's  
21 very few of us in here in this room where  
22 catching fish is our livelihood, and it

1 depends on it. Most people get paid to come  
2 here through their, whatever state jobs, or  
3 outside interests, or NGOs, but something  
4 that's kind of -- you all need an expert  
5 recreational, or somebody commercial that's  
6 on your all's staff that knows what the  
7 heck's going on, somebody that, instead of  
8 coming out with some of this stuff that you  
9 all put in paperwork, that comes out in here  
10 that, had it been looked over with some  
11 knowledge beforehand, a lot of questions  
12 could have been answered.

13           It seems like there's stuff, when  
14 I looked at stuff, even though I probably  
15 don't agree with 99 percent of it, I'm  
16 scratching my head, how in the hell did they  
17 come up with this, the rationale.

18           But somehow, even though I know  
19 you all have a large staff, NOAA does  
20 probably have close to 3,000 employees, and  
21 I'm not an advocate of increased bureaucracy,  
22 but there needs to be some expertise on your

1 staff that doesn't have to have the time to  
2 get educated. Because it's obvious you all  
3 have a lot of paperwork, and it appears to me  
4 that, no matter the best foot put forward,  
5 the best you all can do in your all's time  
6 lines is just get the paperwork out through  
7 different processes.

8 So maybe -- I don't know who the  
9 people you know you can find, or some  
10 expertise, and it ain't the Advisory Panel  
11 Members in this room. It's somebody that  
12 needs to be close to your staff or something  
13 that says, you know, to run something  
14 through, to maybe hash it out before you get  
15 to certain levels.

16 Because a lot of this stuff, you  
17 know, like this circle hook stuff, probably  
18 even though you're going to have a variance  
19 in opinion, maybe that one person went around  
20 to everywhere, hops in a car and goes on down  
21 the road and meets or greets or whatever, you  
22 know, and say hey, my job is this circle

1 hook, what's the deal here? Or maybe it  
2 would have been, I mean, nobody's ever road  
3 out on a greenstick boat. You know, that  
4 could have took up the hours of stuff on  
5 greenstick that we've been dealing with.

6 And something that's probably hit  
7 home with me this meeting more than anything  
8 is that the U.S. is probably going to give  
9 away \$100 million worth of swordfish to some  
10 other country in '08 and my -- how I arrived  
11 at that figure, and I better check my math  
12 here, was you know, if you took 1,000 metric  
13 tons, and you put an 8 ounce portion on a  
14 plate, and you put \$25 on that, I think it  
15 comes up with close to \$100 million. Well,  
16 if you took that \$100 million that would have  
17 been landed here in the United States, and  
18 you would have figured out that, you know,  
19 what tax bracket you're in and all that,  
20 maybe we could have paid for some of this  
21 recreational data that we hear everybody  
22 starving money for. But it's just

1           irresponsible. You know, you all ask us for  
2           our outlook on what the future should look  
3           like. Well, we're the low man on the pole.  
4           We should be asking you what the hell the  
5           outlook on the future looks like because  
6           you're all the ones that are holding the  
7           cards. You're the ones that are responsible  
8           for the management --

9                               (End Tape 16; begin Tape 17.)

10                           -- because we haven't figured out  
11           -- I don't know, was there a game plan? What  
12           was the game plan? You come to us to ask the  
13           game plan. You all are the ones that are in  
14           charge for this swordfish stuff. This is  
15           critical that here in this time, after our  
16           fisheries and fishermen and families have  
17           been devastated by the stuff that goes on,  
18           that we're getting ready to give away \$100  
19           million worth of swordfish. And to me,  
20           that's just -- somebody should hang your head  
21           down in shame that that happens, because the  
22           people in charge, the captain of the ship--

1           hell, it might be like the Exxon -- well,  
2           never mind that.

3                           (Laughter.)

4                           It's something that -- that's  
5           serious. And groups will go back-- and if  
6           everybody in this room went back and wrote a  
7           page about the U.S., no matter if they like  
8           it or not, going to lose probably a thousand  
9           metric tons and send it to every newspaper  
10          article, maybe something would get done as  
11          far as what the future is going to look like  
12          for National Marine Fisheries to its  
13          constituents and to the resource. Thank you.

14                          PARTICIPANT: Thank you, Dewey.  
15          We have two more people on the agenda.  
16          Vincent and Sonja.

17                          MR. PYLE: Regarding the subject  
18          of how long it takes to get a rule passed--  
19          five to six months. And the circle hook  
20          issue: you guys need to kind of get on the  
21          road here with the buoy handline fishery for  
22          several hooks. Why it wasn't included in the

1 original when the permits were originally  
2 issued since longliners were doing it, it  
3 doesn't make any sense to me. It's basically  
4 the same type of fishery as far as the way  
5 the fish eats.

6 For those guys not -- and the  
7 fishery is getting bigger every day. Whoever  
8 handles your directed species transfers to  
9 buoy, I'm sure they can tell you they're  
10 quite busy. So before this fishery gets  
11 bigger than it is, it's time to get it on the  
12 table for circle hooks for buoy fishermen.

13 PARTICIPANT: Thanks, Vince.  
14 Sonja.

15 MS. FORDHAM: Sonja Fordham, Ocean  
16 Conservancy. I want to say again that I  
17 really do appreciate an entire amendment  
18 dedicated to sharks. I just had a couple  
19 questions. There was a lot of concern raised  
20 yesterday about thresher sharks and increased  
21 recreational fishing on thresher sharks north  
22 of here. And also a lot of concern about at

1 least two out of the three species of  
2 hammerhead sharks.

3           Again, all of these have been  
4 recently put on the IUCN red list, and those  
5 decisions were made with input from National  
6 Marine Fisheries Service scientists. So I'm  
7 just curious if you have thought what the  
8 options are-- if you've thought of a plan to  
9 look into the status of these species, or if  
10 there might be a way to provide them some  
11 greater protection without an entire  
12 amendment. If you have any suggestions for  
13 us, that would be great. Thank you.

14           MS. SCHULZE-HAUGEN: Well, there  
15 is a student, I believe, working with Henry  
16 Cortez on the hammerhead assessment. I'm not  
17 sure of the status of that, but I think it's  
18 under way. The thresher shark concerns are  
19 pretty recent, and so it's something that I  
20 think we're still looking at. We have some  
21 flexibility within regulations, framework.  
22 We still know to go through a rulemaking

1 process, but for certain measures-- other  
2 things, such as if a building plan is  
3 required, do you require a plan amendment?  
4 So depending on what the status is and the  
5 issue we're trying to tackle it may be able  
6 to be done more quickly or not.

7 I think we'll certainly look into  
8 it, and I think we're interested in hearing,  
9 and I can check on the hammerhead assessment  
10 for you.

11 PARTICIPANT: Thank you. I  
12 believe that's it on the open-- in terms of  
13 open comment.

14 Margo, it's all yours.

15 MS. SCHULZE-HAUGEN: Okay, this is  
16 new, like I said. I'm trying to have a  
17 presentation where we kind of wrap up, and it  
18 was more of an idea so that you know what we  
19 had heard, kind of some of what you can  
20 expect from us between now and the next  
21 meeting. And so it's something that I have  
22 been trying to pull together through the

1 course of the meeting. And like I said,  
2 folks were modifying my notes in the back.  
3 So I'm not 100 percent sure what's up here  
4 right now. But I think it's kind of a group  
5 collection of thoughts and where we go from  
6 here.

7 Just so you know what's in the  
8 pipeline already, what you can expect are  
9 proposed rules for greensticks, including the  
10 harpoon on charter head boat for bluefin  
11 tuna, some of the measures we talked about  
12 this morning and the sea turtle handling  
13 gear.

14 The international trade permit  
15 revisions-- this is not something we talked a  
16 lot about. I think I've alluded to it being  
17 in the works. It's fairly early in the  
18 rulemaking stage, and not all of the issues  
19 have been worked out, but something -- in a  
20 few months, just kind of over the course of  
21 the permit requirements, some kind of  
22 administrative issues have come up. So we'll

1 be looking to fix those.

2 And then the proposed rule on the  
3 EFH amendment 1, you can expect to see.

4 For final rules, the bluefin tuna  
5 2008 specifications, we're looking for a  
6 publication date by December 1, and then the  
7 shark first season 2008 rule on a similar  
8 time frame. And shark amendment 2, a final  
9 rule, we're looking at winter, now with the  
10 comment period extension or early spring  
11 2008.

12 And so one of the other-- the  
13 rulemaking with it, but we talked about the  
14 pelagic longline research that we are  
15 designing and will be running. We're  
16 planning on putting that research design with  
17 supporting analyses out for public comment,  
18 and we're expecting to do that this month.

19 To run through some of what we've  
20 heard from the AP, these are -- we haven't  
21 done a detailed comb through the flip charts  
22 to make sure everything is on here, but we've

1           been checking our notes, and so if there's  
2           something that we've missed, please let us  
3           know. But just to run through to your point  
4           about requiring circle hooks on buoy gear,  
5           that has come up a couple times. I think  
6           it's something we're considering. The idea  
7           of putting pingers on the buoys. They're  
8           already required to be marked, but beepers.  
9           And if possible, VMS, I'm not sure where this  
10          one came from, but I think it might have come  
11          up a little bit. Changing the charter head  
12          boat retention limit from one per paying  
13          passenger to one per person. It wouldn't  
14          affect the upper limit. Charter head boats  
15          can carry a maximum of six paying passengers,  
16          but particularly for the -- if there's only  
17          one paying passenger or something on board it  
18          would  
19          -- changing it to a per person limit would  
20          allow the captain and the mate to bring back  
21          fish as well.

22                           PARTICIPANT: You changed the rule

1 three or four months ago. Have you seen an  
2 increase in recreation production? I mean I  
3 don't know anybody keeping four fish. I  
4 don't know any charter boats keeping six. I  
5 don't know any head boats keeping 15. Has it  
6 made any difference at all in the overall  
7 numbers that the recreacionals are producing?  
8 To me, that's not a swordfish revitalization-  
9 - something that's going to move ahead and  
10 give us more numbers, because nobody -- if  
11 you're going to catch one big fish, most  
12 people go home. I don't know anybody -- I  
13 personally catch quite a few swordfish down  
14 there. I kept three in a tournament  
15 recently. Other than that, one or two fish  
16 and people go home.

17 So even though I appreciate the  
18 attempt to make it -- to give something to  
19 show ICCAT that we're trying to do it, I  
20 don't think it's going to increase numbers  
21 very much. Now the incidental catch I  
22 thought would, but those numbers look very,

1           very dismal on the reports. The squid  
2           trolls, they don't seem to be reporting  
3           hardly anything.

4                         It was a nice attempt to increase  
5           the recreational catch, but in reality I  
6           don't think that people actually want to  
7           retain. I mean, it took me all day to clean  
8           two fish the other day, you know, so it's not  
9           just something that's really effective, I  
10          don't think.

11                        MS. SCHULZE-HAUGEN: Look at all  
12          the opportunities to increase swordfish  
13          landing, so that was across a variety of  
14          categories. I think the jury is still out on  
15          the success. I think we maybe have seen  
16          some trips coming in with more fish, but I  
17          don't have a sense that it's overwhelming.  
18          It wasn't like the next day things change  
19          over night, but -- and some of the issues  
20          that have come up next on permits, I think  
21          are maybe contributing, maybe a combination  
22          of the two with some permit changes would get

1           some more boats out fishing under higher  
2           limits.

3                           PARTICIPANT:  You shouldn't be  
4           able to keep a permit.  I personally had a  
5           North Atlantic directed species I kept for 12  
6           years while I fished in Honolulu.  I was in  
7           the Pacific.  I was sending in no catch  
8           reports every month, and I kept that thing  
9           and sold it.  I shouldn't have been able to  
10          keep it.  I played by the rules that were  
11          set.  We kept that permit.  That permit would  
12          have been a lot better off over here through  
13          the late '80s, '90s, especially after what--  
14          '97?-- trying to catch our quota.

15                          I understand that a lot of people  
16          have monetary value, they put monetary value  
17          on these permits now, but they were never  
18          issued that way or meant to be that way.  So  
19          if they lose their money because they bought  
20          a permit, it's really not -- a permit -- it  
21          was intended to be used.  It wasn't intended--  
22          - like in the '80s, there was 700 of them or

1 something? You know, it was supposed to be  
2 something that was attached to a vessel, a  
3 vessel that actually might need U.S. Coast  
4 Guard safety standards or HASIP standards.  
5 You know, it's something you need to get back  
6 out on the water, not for somebody to hold on  
7 to it for an investment value.

8 Basically, if you have that permit  
9 for six months and you don't use it or show  
10 some historical catch rates, put it back into  
11 a pool. Offer it back to the public again.  
12 Get more fishermen on the water, you know?  
13 People are turning this thing into an  
14 investment opportunity. They're buying them  
15 for 5, they're selling them for 25.

16 Another thing, make a directed  
17 species permit one-time transfer. Transfer  
18 to a buoy once. That will keep these  
19 directed species from selling them into the  
20 handline fishery. That will slow that down a  
21 little bit. I mean, there's a lot of  
22 different things you can look at, but this

1 whole thing about being -- you know, now your  
2 permit is worth 5 and then it's worth 25 and  
3 then it's worth 500 and then you go to Alaska  
4 and they're worth a million. That's not the  
5 way these permits were designed. They were  
6 designed to be out on the ocean producing  
7 fish for the United States. Thanks.

8 MS. SCHULZE-HAUGEN: I think the  
9 permit issues are many and complex. Some of  
10 the things that we heard were renewing or  
11 issuing new permits that have lapsed,  
12 allowing permit leasing as a way for people  
13 to hold that investment, but still have the  
14 permit active. Gear-based permitting, to  
15 clarify and simplify some of the regulations  
16 so that folks know what the rules are.

17 A use or lose permit requirement:  
18 as you stated, on that issue, I think there  
19 has been some experience across the country  
20 where that had problems with it where people  
21 were forced to fish when otherwise they might  
22 not have, but it's something to consider.

1 Reopening swordfish handgear, some of those  
2 issues. Creating the general category for  
3 swordfish. There's a lot of permit  
4 suggestions. In eliminating the triple  
5 permit requirements for trollers, that would  
6 kind of maybe go hand in hand with a gear  
7 base, one of the things that could be  
8 addressed there. So I think on swordfish we  
9 got a lot, and even the charting arrangement  
10 has kind of a permit flavor to it.

11 A lot of very specific  
12 suggestions, which is very helpful for us,  
13 and so what we're going to need to go back  
14 and do is look at these, look at the  
15 implications of them for impacts, whether  
16 they would make sense in NEA or whether any  
17 of those impacts would get big enough to kick  
18 it to an EIS. And there may be a number of  
19 ways that we can dual track different  
20 changes. So I think we had some really good  
21 comments and suggestions on swordfish that I  
22 think we'll be able to work with.

1                   Some of the other ones, do some of  
2           the--

3                   PARTICIPANT: It's just a quick  
4           response. Some of the points that were just  
5           made were obviously on target and apply  
6           across the board, not just to swordfish. But  
7           there are some complicating factors. The use  
8           it or lose it issue, for example. When  
9           you're trying to rebuild a resource and the  
10          Government has just closed 2.6 million square  
11          nautical miles, you're obviously trying to  
12          discourage effort and catches at that time.  
13          And for the guy that has that permit, if his  
14          only option is to go to the Pacific or some  
15          other place and continue to fish and keep his  
16          boat going so he doesn't lose his boat in the  
17          meantime, but "use it or lose it" just  
18          doesn't work. That's not fair. That's --  
19          it's obviously a better option for the  
20          Government to go and fish someplace else for  
21          a while, but don't make him give up his  
22          permit, because he's actually helping rebuild

1 the resource by not fishing on the troubled  
2 fishing grounds.

3 I know we're in a hurry. I'm in a  
4 hurry, so I want to -- there's equal type  
5 comments that could be made. These are all  
6 very complex issues.

7 MS. SCHULZE-HAUGEN: Well, they  
8 are. And I think the swordfish  
9 revitalization rule which had the vessel  
10 upgrading related to permits, you know, we  
11 scratched the surface on some of the  
12 complexities that go along with permits and  
13 the rules associated with them. So we want  
14 to do it right. We don't want to do  
15 something inadvertent. But we try really  
16 hard.

17 (Laughter.)

18 Some of the other suggestions on  
19 swordfish would be to conduct some of the  
20 time area research-- closed area research--  
21 eliminating upgrading limits with the caveat  
22 from some folks to monitor fleet-wide

1 capacity. Removing minimum size or allowing  
2 some tolerance of undersized fish to reduce  
3 dead discards. Controlling imports or  
4 imposing import bans. This is something that  
5 could be coming into the MSRA rulemaking that  
6 Office of International Affairs will be  
7 leading. Improving the marketing-- kind of a  
8 nonregulatory option, and I think that's  
9 something that some folks express some  
10 interest in that we very much like to pursue  
11 with the industry on how to increase the  
12 profitability through some marketing.  
13 Improving all landings reportings again.  
14 This could have a regulatory aspect to it,  
15 but it may not. It may be some of the  
16 outreach. The internet sites going live mid-  
17 month, all are things that should help--  
18 we're hoping will help.

19 Moving on to sharks. We broke this  
20 into kind of topics where there seemed to be  
21 kind of general agreement, repeated themes  
22 from each of the tables, and then we'll have

1           some slides where there did not appear to be  
2           consistent comment from the AP. So what  
3           seemed to be coming from many of the tables  
4           was reviewing the 5 percent fin to carcass  
5           ratio, possibly recommending a change to  
6           Congress-- probably should be a capital C.  
7           But as Bill mentioned, he's tested the waters  
8           there a bit, and this may be something if the  
9           review would show that a change is warranted--  
10          - and I would predicate that it may not--  
11          that we may need some help with. This isn't  
12          something that can come from fully within the  
13          Agency.

14                         Dewey, can you --

15                         MR. HEMILRIGHT: I just got  
16           something quick here. There's two big  
17           definitions here. One is Congress, and one  
18           is a 5 percent law. So there's a big  
19           difference as far as an enforcement issue, so  
20           recommending a change to Congress, to me that  
21           just looks like good window shopping.  
22           There's two different things here. One is a

1 finning law that Congress did, and one is  
2 National Marine Fisheries 5 percent thing.  
3 So there's two different things. One, and  
4 you're allowed to rebut. The other one,  
5 you're not. So Congress, do whatever, but  
6 how about the National Marine Fisheries 5  
7 percent law? There's two things here, even  
8 though you can recommend the change to  
9 Congress. That's a hell of a lot of hoops to  
10 jump through. So there is two different  
11 things, and I think your review up there of  
12 comments maybe should reflect that.

13 MS. SCHULZE-HAUGEN: I was  
14 thinking this would be a comprehensive  
15 review, and so you know, it's something that  
16 we heard. The 5 percent ratio has been an  
17 issue, since really it was implemented in  
18 '93. Enforcement cases continue on finning,  
19 whether it's 5 percent or just plain old  
20 finning. We're trying to respond. This was  
21 a suggestion that the fins on is on the side  
22 where there was not similar comments, and so

1           it's something obviously the Agency is  
2           continuing to get comment on and working on.

3                       Some of the other similar comments  
4           include allowing landings of black tip  
5           spinner bowl and porbeagle sharks in  
6           recreational fishery. One particular --  
7           actually, I see a hand going up in the back.  
8           One suggestion for using the ridge  
9           characteristic, the ridge back versus non-  
10          ridge back characteristic as a way to  
11          distinguish the two.

12                      And Sonja, if I can guess, the  
13          porbeagle was not a similar comment, so we'll  
14          make that note to ourselves.

15                      Improving dealer reporting, in  
16          terms of moving quickly to electronic  
17          reporting seem to be fairly consistent theme  
18          across all tables. I would note that there  
19          are a couple of major shark dealers that do  
20          not have computers, so one of the reasons in  
21          the outreach plan-- you saw the continuing  
22          faxing is for that reason. So this could mean

1           some changes for some of our constituents.

2                   Increasing advanced notice of  
3           closures to accommodate longer trips. It says  
4           PLL, but I believe it came up also for some  
5           of the longer grouper trips. And as well as  
6           improving education for recreational species  
7           ID, trying to key in on characteristics that  
8           are very easy, the ridge being one that  
9           probably is a good characteristic.

10                   Some of those contrasting  
11           comments-- quotas, folks thinking they're too  
12           high. Other folks thinking they're too low.  
13           And where we go from here, porbeagles --  
14           whether to prohibit them or continue to allow  
15           them; the fins, whether to require them to be  
16           attached or not. The science folks having  
17           some concerns about the assessment, whether  
18           that's best available, others say it is the  
19           best available and we need to move on.

20                   Providing a diagram. I think-- I  
21           guess I had this one on the similar -- but  
22           maybe there wasn't, and then there was some

1           disagreement on the regions and seasons,  
2           whether to go with one region or all three  
3           regions or one season, and so I think trying  
4           to accommodate the differences between the  
5           regions and the timing of the fisheries  
6           within a fairly small quota. So -- and then  
7           the other kind of an other category relevant  
8           to the Atlantic States Marine Fisheries  
9           Commission Technical Committee suggestion to  
10          have one season that starts on July 15th--  
11          not January 1st-- would also play into the  
12          region season question.

13                    Just a note that the continuing  
14          coordination with the Atlantic States Marine  
15          Fisheries Commission is something that's  
16          pretty new for us and we've never done one of  
17          these plans where we're trying to work  
18          together in a complementary way, so it's just  
19          something to be aware of.

20                    Suggestions on bluefin tuna: a lot  
21          of this came last night on the public  
22          hearing, although not all of it. Potential

1 transfer of the 15 percent-- it was  
2 recommended that that not go to the reserve,  
3 but that it be equally distributed according  
4 to the allocations in the FMP. And if a  
5 transfer provision request came in, that  
6 would be negotiated from the categories that  
7 were willing to participate. And increasing  
8 the school subquota, if possible-- because we  
9 have a four-year block quota-- making sure  
10 that the quotas reflect the landings once the  
11 2007 landings are in.

12 On ever controls, discussion of  
13 whether we still need RFDs, given the state  
14 of the fishery and whether we can move away  
15 from them. And then setting general category  
16 retention limits for the whole season as  
17 opposed to just the first subperiod.

18 Revisiting, considering, and  
19 adjusting pelagic longline target catch  
20 requirements to reduce dead discards. Some  
21 discussion on the methodology used to  
22 generate those numbers, and then if they are

1 meeting the need of reducing dead discards to  
2 the maximum extent we can. And then  
3 essential fish habitat, the discussion again  
4 this morning on an HAPC in the Gulf of  
5 Mexico, and exploring the use of CPEU data.

6 And then, I haven't even seen this  
7 one, because folks were doing this after the  
8 discussion a few minutes ago: approving use  
9 of greenstick gear for tunas, including  
10 bluefin with some consideration of  
11 geographical restrictions, clearly defining  
12 the gear so that doesn't have unintended  
13 consequences and increase confusion.

14 Revising the definition of longline to make  
15 sure, again, it's not confused with a  
16 definition for greenstick. Debate on whether  
17 to approve or not approve harpoon use for  
18 charter head boats considering gear stowage.  
19 Requiring catch and effort data, generally  
20 seem to be some support for that. Identify  
21 print allowable gears on each permit and  
22 require the gears to restrain the turtles--

1 not necessarily both, but an option-- one or  
2 the other may be sufficient.

3 BOLOs, this was a term that was  
4 new on me. I kind of like it. Be on the  
5 lookout. These are some of the things that  
6 aren't necessarily going to be coming from  
7 the division, but could definitely have  
8 implications for HMS management. The  
9 presentation this morning from Dr. Salz on  
10 the marine recreational information program,  
11 and we got some really good ideas from the AP  
12 on where to focus, particularly in the next  
13 year.

14 And then the Magnuson-Stevens  
15 Reauthorization Act-- a couple of things in  
16 there that could have some implications.  
17 ACLs are the annual catch limits,  
18 particularly for international managed  
19 species, how we proceed. National standard  
20 guideline revisions, and the IUU bycatch  
21 certification process coming out of that  
22 international office. And obviously, ICCAT

1 is coming up and so we'll have some report  
2 back between now and the next AP meeting on  
3 what happened there.

4 A couple of reminders, vouchers by  
5 the 12th. Comments on the EFH predraft by  
6 the end of the month. The first season for  
7 shark rule, same end of the month. Bluefin  
8 tuna specs goes November 1. Shark amendment,  
9 November 2nd. And I should add in here a  
10 request for outreach comments by the 15th.  
11 Yes. October 15th. We've kind of got a lot  
12 on your feet at this point for review and  
13 comment back to us. So any and all comments  
14 are appreciated and --

15 PARTICIPANT: Can you add in the  
16 outreach stuff?

17 MS. SCHULZE-HAUGEN: Which?

18 PARTICIPANT: The whole thing.

19 MS. SCHULZE-HAUGEN: The whole  
20 thing? Sure. I'll add in the outreach stuff.

21 So yes, and questions -- and I  
22 think following on from the outreach

1 presentation some of what was discussed would  
2 require additional resources, but some of it  
3 I think we can work with and are starting to  
4 try and do now. So we can hopefully see some  
5 changes there as well. And a big thank you.  
6 I think we had really good discussions, very  
7 specific comments, things that we can work  
8 with. It was very useful for us, and I'd  
9 like to take a moment to thank staff for some  
10 really good presentations, coverage of  
11 issues, and going long days. So thank you.

12 (Applause.)

13 Rusty?

14 MR. HUDSON: Yes, you had October  
15 31st for EFH predraft, and it says inside the  
16 predraft October 30th.

17 MS. SCHULZE-HAUGEN: Well, you  
18 better not take Halloween then, huh? I mean  
19 I think as we're moving forward to the  
20 proposed rule stage, I think we always  
21 welcome comments.

22 (End of tape 17.)

<b>A</b>				
<b>Abbey</b> 116:1,21 135:15 139:22 140:1 144:14	<b>acknowledging</b> 68:5	<b>advance</b> 63:3	<b>allied</b> 163:10	126:10 127:19 129:18 156:3,10
<b>ability</b> 38:18 83:14 166:15	<b>ACLs</b> 200:17	<b>advanced</b> 196:2	<b>allocation</b> 45:20	<b>angling</b> 12:15 20:17 69:11,22 70:3 81:13,16,18 86:13 88:11 99:2,2,5,11 99:13,19 112:17 112:18,21 113:1,4 113:6 122:10,12 126:8 145:19
<b>able</b> 55:17 73:7,11 75:10 87:20 88:6 91:20,21 92:12 93:16 99:6,21 101:10 116:20 126:12 131:12 132:20 133:6,19 158:22 180:5 186:4,9 189:22	<b>Act</b> 168:3 200:15	<b>advisories</b> 126:15	<b>allocations</b> 198:4	<b>animal</b> 74:21 157:2
<b>aboard</b> 110:13	<b>action</b> 111:5 127:19 128:18	<b>advisory</b> 1:13 30:5 40:9 44:11,12 52:19 53:2 116:13 169:7,12 174:10	<b>allow</b> 56:21 60:7 74:15 81:11,13 83:20,21 85:2 92:14 94:14 149:3 183:20 196:14	<b>animals</b> 3:13
<b>absolutely</b> 72:7 170:1	<b>actions</b> 121:5 127:10 134:15 165:1	<b>advocate</b> 173:21	<b>allowable</b> 199:21	<b>annual</b> 118:18 123:10 129:16 200:17
<b>abundance</b> 84:5 89:16,20	<b>active</b> 38:4,4 111:14 188:14	<b>affairs</b> 118:5 122:17 192:6	<b>allowed</b> 39:17 41:8 44:9 57:22 84:4,13 86:14,15 94:8 96:15 99:20 108:21,21 109:5,9 113:6,7 151:6 194:4	<b>answered</b> 33:1 173:12
<b>abuse</b> 82:13 83:12	<b>actively</b> 76:3	<b>affect</b> 22:14,15 24:21 183:14	<b>allowing</b> 51:16 84:19 92:6 94:11 154:11 188:12 192:1 195:4	<b>answering</b> 15:1 127:5
<b>abuses</b> 83:1	<b>activities</b> 119:7 120:5,9	<b>afraid</b> 165:9	<b>allows</b> 12:22	<b>answers</b> 4:3 115:11 146:1 162:19 169:1
<b>academia</b> 127:21 129:15	<b>activity</b> 35:20 55:18 55:20,22 118:18 148:18	<b>age</b> 3:13	<b>alluded</b> 127:14 181:16	<b>answers</b> 4:3 115:11 146:1 162:19 169:1
<b>accelerates</b> 42:2	<b>actual</b> 45:11 166:1	<b>agencies</b> 123:15	<b>all's</b> 173:6 174:5	<b>anybody</b> 51:8 70:12 96:5 135:17 139:21 144:14 162:4 184:3,12
<b>access</b> 6:2 11:16 22:14 23:9 35:9 37:1 42:21 80:17 121:1 136:9	<b>ad</b> 127:22 131:22	<b>Agency</b> 7:15,21 9:15 44:9 58:9 59:2 129:5 155:6,9 156:17 165:14 171:15 193:13 195:1	<b>ALRS</b> 15:20	<b>anyway</b> 3:7 14:7 91:9 93:10 110:16 124:16 139:7 160:11 163:1
<b>accommodate</b> 196:3 197:4	<b>adapt</b> 106:9	<b>agenda</b> 52:5 148:10 177:15	<b>alternative</b> 58:1 62:8,11 84:19 98:4	<b>AP</b> 4:20 50:18 52:15 70:17 119:5 129:12,21 147:8 147:21 148:4 170:17 171:2,21 182:20 193:2 200:11 201:2
<b>accomplish</b> 5:13 7:18	<b>adaptive</b> 6:12	<b>agents</b> 122:2,5,7 138:8,17	<b>alternatives</b> 53:13 55:1,2 56:1,7,8 59:3 128:17	<b>apologize</b> 101:11 104:9
<b>account</b> 24:19	<b>add</b> 6:7 20:10 36:21 47:18 59:3 105:5 201:9,15,20	<b>ago</b> 7:22 31:8 152:18 153:9 184:1 199:8	<b>amendment</b> 167:7 178:17 179:12 180:3 182:3,8 201:8	<b>appear</b> 193:1
<b>accounting</b> 44:14	<b>added</b> 91:12	<b>agree</b> 45:9 78:8 173:15	<b>amount</b> 49:22 55:19 160:1	<b>appears</b> 174:3
<b>ACCSP</b> 28:15,18 29:2,15,17 30:3,6 30:7,11	<b>addition</b> 9:4 10:13 32:1 54:4 55:16 68:11 105:21	<b>agreed</b> 14:16	<b>analyses</b> 182:17	<b>Applause</b> 202:12
<b>accuracy</b> 17:2 40:20	<b>additional</b> 3:22 9:15 62:3 158:4 160:19 169:19 202:2	<b>agreement</b> 165:9 192:21	<b>analysis</b> 5:10 12:2 22:12 23:1,17 48:11 118:15	<b>applicants</b> 57:15
<b>accurate</b> 7:1,12 43:15	<b>address</b> 15:9 94:5 119:21 120:8,16 121:13 130:4 155:18	<b>agrees</b> 156:16	<b>analyze</b> 119:11	<b>application</b> 85:14
<b>accurately</b> 49:6	<b>addressed</b> 29:9 189:8	<b>ahead</b> 21:15 31:22 32:22 35:4 40:7 41:8 42:17 43:16 120:19 141:20 142:1 144:4 145:12 147:22 184:9	<b>angler</b> 11:2 26:17 69:17	
<b>accustomed</b> 92:20 109:12	<b>addressing</b> 25:11	<b>aid</b> 128:16	<b>anglers</b> 5:21,22 6:3 9:7 12:13 13:2,11 27:6 38:9,10 122:22 124:4	
<b>achieve</b> 5:8 11:9 24:8	<b>adds</b> 105:22	<b>ain't</b> 96:1 174:10		
<b>acknowledge</b> 31:4	<b>adept</b> 72:2	<b>airing</b> 105:1		
	<b>adhered</b> 114:15	<b>alarmed</b> 49:12		
	<b>Adjourn</b> 2:22	<b>Alaska</b> 188:3		
	<b>adjusting</b> 198:19	<b>albacore</b> 55:4		
	<b>ADMINISTRAT...</b> 1:4	<b>alive</b> 112:4		
	<b>administrative</b> 181:22			
	<b>adopted</b> 150:22			

<b>applies</b> 166:5	<b>aspects</b> 12:1 52:9,10 53:6	52:22 53:2,21 61:12,16 68:9 79:6 79:17 97:18 128:22	<b>backed</b> 9:16	78:14 161:17
<b>apply</b> 142:13 190:5	<b>assemblage</b> 86:20	<b>authorize</b> 53:5 54:11 55:3 58:2 79:16,22 80:1	<b>background</b> 132:14	<b>begins</b> 3:4 61:4
<b>appreciate</b> 4:12 43:18 146:17 167:6 178:17 184:17	<b>assessment</b> 7:6 34:9 179:16 180:9 196:17	<b>authorized</b> 57:7,20 65:14,15 79:13 85:1 86:10 92:3 97:16,18,20 99:11	<b>bad</b> 37:17 81:10 82:12 83:20 110:17	<b>begun</b> 149:1
<b>appreciated</b> 201:14	<b>assign</b> 120:3	<b>authorizing</b> 84:20	<b>bag</b> 86:11,13,18	<b>behalf</b> 87:19 88:15
<b>approach</b> 12:17 19:6 25:14 148:20	<b>associated</b> 10:17 48:1 191:13	<b>automated</b> 15:20	<b>bait</b> 89:18 103:21 112:2,11 150:17 151:3,11 152:13 153:19 155:2,7,8 156:3,3	<b>Beideman</b> 91:16,16 91:17 108:17,18 110:7 138:21,22
<b>approaches</b> 12:8 17:13 32:4	<b>association</b> 30:2 56:21 63:22 81:8 100:13 111:12 151:19,20	<b>automatically</b> 142:20	<b>baits</b> 150:7,10,12,16 155:12,14 156:12	<b>believe</b> 67:14 93:13 101:5,6,7,19 102:8 103:6 142:11 152:6 153:2 157:13 168:9 179:15 180:12 196:4
<b>appropriate</b> 53:13 88:11 120:3 128:16	<b>associations</b> 124:7	<b>available</b> 55:20 60:21 70:16 110:5 114:14 124:3 158:14 159:3 196:18,19	<b>ball</b> 9:11	<b>benefit</b> 58:20 118:15
<b>appropriately</b> 13:17 23:19 24:19	<b>assumably</b> 34:15	<b>avenue</b> 42:1	<b>ballparks</b> 50:15	<b>best</b> 10:14 25:14 41:6 44:14 45:4 101:3 114:11,13 162:17 174:4,5 196:18,19
<b>approve</b> 65:18 199:17,17	<b>assume</b> 148:12	<b>average</b> 134:10	<b>ballyhoos</b> 153:9,18	<b>better</b> 16:18 20:22 22:3 27:22 41:18 47:3,5 62:21 63:4 99:20 115:11 119:10 127:13 133:20 148:7 164:11 175:11 186:12 190:19 202:18
<b>approved</b> 27:13,14 63:2,18 65:21,22	<b>Assuming</b> 163:12	<b>avoid</b> 27:7 49:16	<b>banded</b> 57:21 98:1	
<b>approving</b> 199:8	<b>Atlantic</b> 5:18 20:2 53:21 54:3 56:5 58:2 68:4,7 73:6 73:12 79:13,16,22 113:16 114:16 141:14 167:2 186:5 197:8,14	<b>awarded</b> 157:8	<b>bandit</b> 95:10	
<b>AP's</b> 128:4	<b>ATMOSPHERIC</b> 1:3	<b>aware</b> 8:8 32:14 111:15 129:10 159:14 197:19	<b>Bank</b> 65:6 81:7	
<b>ARC</b> 105:15	<b>attached</b> 78:6 85:6 97:8 187:2 196:16	<b>a.m</b> 3:2	<b>Banks</b> 105:10	
<b>archived</b> 139:3	<b>attain</b> 57:10		<b>bans</b> 192:4	
<b>area</b> 27:4 50:16 65:4,7 66:3,19 67:13,21 80:15 84:2,5 111:18,22 112:12 191:20,20	<b>attempt</b> 19:8 184:18 185:4		<b>bar</b> 132:11 133:12 143:22	
<b>areas</b> 25:6 62:5,10	<b>attendance</b> 58:14		<b>barn</b> 44:4	
<b>arguing</b> 88:15	<b>attention</b> 8:10,13 93:7 116:11		<b>base</b> 49:7 189:7	
<b>arrangement</b> 189:9	<b>attest</b> 66:2		<b>based</b> 149:2 169:11 169:16	
<b>arrived</b> 71:19 175:10	<b>audience</b> 119:22 121:13,16 127:17		<b>basic</b> 166:4	
<b>arsino</b> 75:7	<b>audiences</b> 120:3 121:14 122:10		<b>basically</b> 60:16 65:19 73:19 74:4 97:12 112:21 118:20 120:10 123:6 125:15 131:5 136:7 149:13 151:1 154:4 178:3 187:8	
<b>article</b> 158:15 177:10	<b>Audiotape</b> 3:3		<b>basicly</b> 60:16	
<b>articles</b> 156:1	<b>ought</b> 166:7,7		<b>basicly</b> 60:16	
<b>artificial</b> 152:10	<b>August</b> 15:8 71:19		<b>Bay</b> 65:7,9	
<b>ASC</b> 114:18	<b>Augustine</b> 35:5,5 75:14,14 76:13 77:9 78:1,7 80:7 81:2 113:13,14		<b>beaks</b> 90:6	
<b>asked</b> 6:7,11 10:1 20:18 30:3 105:2 146:6,8	<b>authoritative</b> 3:9		<b>beans</b> 137:19	
<b>asking</b> 49:21 64:19 64:20 65:11 131:22 139:10 176:4	<b>authorization</b> 52:12		<b>bear</b> 115:4,11 146:21	
<b>aspect</b> 86:16 192:14			<b>beast</b> 115:10	
			<b>beat</b> 47:14 60:11 161:9	
			<b>beepers</b> 183:8	
			<b>beg</b> 82:2	
			<b>begging</b> 163:13	
			<b>beginning</b> 27:12	

<b>billfish</b> 15:17 19:7,9 30:21 43:19,21 62:10 71:13 144:17 151:13 162:11	201:7 <b>bluefins</b> 84:5 111:3 <b>bluefish</b> 100:21 103:1,6 106:6,11 112:2	<b>book</b> 12:13 31:10 <b>bookmark</b> 137:5 139:1 <b>bookmarked</b> 131:1 134:3	77:2 <b>bundling</b> 77:7 <b>buoy</b> 107:18 108:8 177:21 178:9,12 183:4 187:18	<b>captains</b> 155:21,22 156:9,14,20 <b>capture</b> 64:12,14 65:1,9,13 67:15 102:14
<b>Bill's</b> 171:4 <b>bind</b> 74:19 <b>biological</b> 58:11 59:1	<b>Bluewater</b> 84:18 104:6 105:20 <b>blurry</b> 122:4 <b>board</b> 60:5,6 69:18 82:17 94:12 149:17 166:6 183:17 190:6	<b>Bookmarking</b> 137:11 <b>bookmarks</b> 139:6 <b>books</b> 25:3,7 31:5 <b>borne</b> 3:10 <b>bottom</b> 52:14 59:6 61:19	<b>buoyant</b> 74:18 <b>buoys</b> 108:8 183:7 <b>burden</b> 32:11,17 34:20 <b>bureaucracy</b> 173:21 <b>bureaucratic</b> 167:14	<b>capturing</b> 17:2,11 67:19 <b>car</b> 174:20 <b>carcass</b> 193:4 <b>card</b> 15:18 <b>cards</b> 176:7 <b>careful</b> 115:15
<b>bird</b> 108:7 <b>bit</b> 14:18 55:9 66:6 70:19 74:19 75:22 108:19 122:14 138:5 146:22 147:17 148:7 165:12 167:19 172:4 183:11 187:21 193:8	<b>boat</b> 20:5 22:4 23:5 25:18 32:6,10 38:17 55:6 56:3,11 56:13,18,22 57:14 57:17 58:3 64:12 65:5,13 69:13,20 71:18 81:7,15,15 82:5 83:15 85:16 87:18 95:17 98:5 99:1,16 100:5,15 102:12 103:19 104:9,10,17 107:16 110:14 111:6,11 112:3,20 112:20 113:1,3,7 121:11 127:19 149:5 159:2,2,3 162:8 175:3 181:10 183:12 190:16,16	<b>bought</b> 186:19 <b>bound</b> 74:14 <b>boundary</b> 95:13 <b>bowl</b> 195:5 <b>boxes</b> 92:1 <b>bracket</b> 175:19 <b>brackets</b> 79:18 <b>brain</b> 87:1 <b>brand</b> 165:19 <b>break</b> 51:16,19 <b>breaking</b> 133:7 134:14 141:5,11 141:17 142:9,17 143:17	<b>buried</b> 146:10 <b>bus</b> 10:5 <b>business</b> 66:2 <b>busy</b> 178:10 <b>buy</b> 107:3 <b>buying</b> 187:14 <b>bycatch</b> 54:19 62:7 62:11 63:5 71:4 84:9 90:15 141:12 162:11 200:20	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
<b>black</b> 195:4 <b>blaming</b> 167:12 <b>Blankinship</b> 51:21 51:22 58:8 70:15 72:8 75:18 77:3,11 78:4 90:21 94:4 97:14 98:3 99:9 106:13 109:19 117:4 161:8	<b>boats</b> 20:16 22:12 26:1,1 31:13 50:19 52:12 57:21 61:15 64:10,11 78:20 79:6 81:10,12,14 81:15,22 82:5,11 82:12 83:21,21 91:19 92:7,15 95:5 98:9,10,11 100:19 101:5,10 159:9 183:14 184:4,5 186:1 199:18	<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>Bye</b> 94:3	<b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
<b>blindsided</b> 149:20 <b>block</b> 198:9 <b>blowing</b> 46:13 <b>blown</b> 170:1 <b>blue</b> 22:1,4 132:13 132:14 133:11 152:16 153:4 156:11,11 157:10	<b>Bob</b> 13:20 <b>bold</b> 162:3 <b>BOLOs</b> 200:3 <b>bony</b> 155:4	<b>brand</b> 165:19 <b>break</b> 51:16,19 <b>breaking</b> 133:7 134:14 141:5,11 141:17 142:9,17 143:17 <b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>Bye</b> 94:3	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
<b>bluefin</b> 4:4 30:20 54:13,14 55:5 57:6 57:9 62:20 65:10 65:14 66:5 67:10 67:15,17 68:10 69:4,11,14 70:1,3 79:11,19 81:13 86:21 89:15 93:14 93:18 96:9 102:13 103:14 104:10 106:6,11 129:3 181:10 182:4 197:20 199:10	<b>boats</b> 20:16 22:12 26:1,1 31:13 50:19 52:12 57:21 61:15 64:10,11 78:20 79:6 81:10,12,14 81:15,22 82:5,11 82:12 83:21,21 91:19 92:7,15 95:5 98:9,10,11 100:19 101:5,10 159:9 183:14 184:4,5 186:1 199:18	<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>Bye</b> 94:3	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>BTRs</b> 31:5 <b>buddy</b> 153:11 <b>budget</b> 118:10 <b>build</b> 5:8 123:18 <b>building</b> 125:3,12 180:2 <b>bunch</b> 88:15 93:1 110:8 111:6 115:12 <b>bundled</b> 76:15,16	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20 68:6 88:18 95:2 96:8 114:4 148:3,12 149:15,19 150:12 150:19 151:15 153:15 154:14 155:16 156:15 159:10 161:12 162:5,10 163:4 167:22
		<b>breaks</b> 51:14 <b>brief</b> 90:13 154:9 <b>briefing</b> 4:18 <b>brietest</b> 10:14 <b>bring</b> 8:13 16:17 69:12,18 183:20 <b>bringing</b> 82:4 112:5 <b>broke</b> 120:11 192:19 <b>brought</b> 71:1,3 94:6 96:3,7 111:6 129:12 153:14	<b>C</b>	<b>Caribbean</b> 21:19 <b>Carolina</b> 15:19 20:3 30:18 54:2 62:17 63:13 66:20

64:5,16 162:8 190:12 <b>catching</b> 16:15 37:20 39:8 41:7 50:1 67:17 79:11 82:2,8,21 96:8 100:20 102:1 172:22 <b>categories</b> 80:12 112:17 113:8 144:1 185:14 198:6 <b>category</b> 5:12 20:17 51:5 55:5,6 56:3 56:10,14,21 57:3 57:10,16,22 62:19 65:15,16 69:7,16 69:22,22 70:4 79:2 79:10 80:3 81:13 81:15 83:17 84:21 85:2 86:13 88:11 99:1,2,3,4,6,11,13 99:19 100:13 104:16 112:18,20 112:21 113:1,4,6 145:19 189:2 197:7 198:15 <b>caught</b> 39:5 44:1 66:17 69:10 95:15 95:16 96:10,13 114:3 152:16,18 <b>cause</b> 4:1 <b>caused</b> 167:11 <b>causing</b> 133:9 <b>caution</b> 50:15 <b>caveat</b> 191:21 <b>caveats</b> 71:11 <b>census</b> 19:8 30:13 30:15,19,22 31:6,7 31:13,16,19 32:2 <b>center</b> 18:17 34:9 58:17 74:15 91:1 105:8 <b>cents</b> 103:12 <b>certain</b> 67:13,20 174:15 180:1 <b>certainly</b> 29:12 30:10,15,17,20	31:13 44:10 47:19 49:7 63:22 92:4 93:16 105:20 137:3 154:19 180:7 <b>certification</b> 200:21 <b>certifications</b> 109:15 <b>chain</b> 60:3 <b>chair</b> 10:12 11:3,4 30:5 <b>chairing</b> 11:6 <b>chance</b> 18:4 31:18 101:16 117:17 <b>chances</b> 86:21 <b>change</b> 2:20 5:5 6:13,13 7:10 41:9 64:10 80:12 113:21 149:22 151:16 156:4 160:11 172:3 185:18 193:5,9,20 194:8 <b>changed</b> 7:7,8 41:12 136:16 183:22 <b>changes</b> 37:6 64:19 123:19 125:1 139:3 158:19 160:4 185:22 189:20 196:1 202:5 <b>changing</b> 27:17 183:11,19 <b>character</b> 56:18 <b>characteristic</b> 195:9 195:10 196:9 <b>characteristics</b> 196:7 <b>characterization</b> 20:8 47:12 <b>characterize</b> 20:13 21:10 39:10 43:2 55:21 <b>charge</b> 15:13 17:21 29:5 112:14 176:14,22 <b>charges</b> 22:16 <b>Charitable</b> 91:17	<b>Charleston</b> 88:18 <b>charter</b> 20:5 25:22 32:10 52:12 55:5 56:3,11,13,22 57:13,17,20 58:3 61:14 64:10,11,12 65:5 66:2 69:2,10 69:20 78:19 79:6 81:7,10,12,14,22 82:5,12,17 83:3,21 84:21 87:18 95:4 98:5,9,10,11 99:1 100:15,18 101:4,9 102:8 103:2 104:9 104:9,17 111:11 112:20 113:3,7 121:11 127:19 148:16 149:4 162:8 181:10 183:11,14 184:4 199:18 <b>charters</b> 82:16 83:15,20 153:17 <b>charting</b> 189:9 <b>charts</b> 182:21 <b>cheat</b> 101:16,19,19 102:21 110:1 <b>cheaters</b> 101:17 <b>cheating</b> 101:20 102:4,4 <b>check</b> 4:11 175:11 180:9 <b>checking</b> 183:1 <b>chew</b> 89:21 <b>chicken</b> 120:15 <b>choice</b> 26:12,13 72:15 158:7 <b>choices</b> 140:11 157:12 <b>chose</b> 121:12 <b>Chris</b> 4:9 <b>chunking</b> 89:13 <b>CIO</b> 126:2 <b>circle</b> 75:17,19,21 76:2,10 149:12,14 150:3,7,9,22 151:4 152:2 153:6,7,10 153:16 154:13,21	156:19 158:15 162:21 163:1,16 163:18,19 164:5 164:11 165:17 166:4 169:14,22 170:11 174:17,22 177:19 178:12 183:4 <b>circumstance</b> 109:6 <b>City</b> 18:16 97:3 <b>Civic</b> 151:18 <b>civil</b> 37:22 <b>clamp</b> 74:11 <b>clamshell</b> 74:10 <b>clarification</b> 78:2 110:20 <b>clarify</b> 78:20,21 95:2 97:4 109:20 136:12 188:15 <b>clarifying</b> 77:13 <b>clarity</b> 117:22 125:8 <b>classes</b> 3:13 75:3 <b>clean</b> 185:7 <b>clear</b> 99:21 110:8 121:1 164:21 165:16 <b>clearly</b> 85:7 88:1,9 199:11 <b>click</b> 126:2 133:4,19 136:4 140:6,19 141:1 <b>clicked</b> 142:10 <b>clicking</b> 140:14 <b>climatic</b> 113:21 <b>close</b> 44:2 104:18 144:20 163:17 173:20 174:12 175:15 <b>closed</b> 47:19 92:21 152:19 153:1 190:10 191:20 <b>closely</b> 12:11 13:5 22:5 25:13 29:2,12 30:11 117:5 <b>closing</b> 44:4 <b>closure</b> 62:7 <b>closures</b> 92:2 196:3 <b>clout</b> 45:1	<b>club</b> 38:5 40:3 <b>cluster</b> 18:12,13 <b>clusters</b> 18:11 <b>coast</b> 5:17,18 29:9 49:8 109:1 113:19 115:7 148:14 161:14 187:3 <b>cocktail</b> 47:6,7 <b>cod</b> 65:6,8 86:4 111:22 <b>Coddington</b> 14:15 37:10 47:17 132:5 132:5 133:13 <b>codes</b> 49:9 <b>cold</b> 35:18 <b>collect</b> 6:6,7 15:22 21:5 28:20 42:10 161:12,22 162:18 <b>collected</b> 151:7 158:16 <b>collecting</b> 5:6 6:22 160:8 <b>collection</b> 5:9,16 7:12 8:20 9:5 11:11 12:3 15:6,15 16:9 17:5 24:18 25:22 64:4 181:5 <b>collections</b> 22:22 <b>column</b> 142:2 <b>columns</b> 142:21 <b>Colvin</b> 10:10 11:3 26:18 <b>comb</b> 182:21 <b>combination</b> 31:7 31:12 110:5 185:21 <b>combined</b> 105:11 <b>combo</b> 150:16 151:10 154:12 155:2,7,12,13 156:2 157:1 <b>come</b> 6:14 17:22 19:10,15 49:20 50:19 65:8 113:22 115:12 131:17,17 137:9 140:7 141:2 142:20 144:7,10 162:15 168:18
---	---	--	--	---

173:1,17 176:12 181:22 183:5,10 185:20 193:12 <b>comes</b> 7:5 22:2 34:18 81:20 114:10 173:9 175:15 <b>comfort</b> 46:22 <b>coming</b> 21:8,13 23:14,15 26:3,16 30:4 36:11 39:20 40:4 83:2 85:21 147:9 156:21 170:2 173:8 185:16 192:5 193:3 200:6,21 201:1 <b>comment</b> 2:16 30:12 37:10 40:18 60:22 62:17 78:8 136:5 163:11 169:2 171:1,9 180:13 182:10,17 193:2 195:2,13 201:13 <b>commenters</b> 172:7 <b>comments</b> 8:4 40:10 61:7 62:3 63:1 66:7 68:14 119:5,6 130:1 139:21 149:11,13 167:3 172:14 189:21 191:5 194:12,22 195:3 196:11 201:5,10,13 202:7 202:21 <b>COMMERCE</b> 1:2 <b>commercial</b> 57:9 63:12,13,16 69:9 70:2 78:16 79:19 95:8 97:7,19,22 98:6 121:10 124:4 124:11 127:16 129:19 148:18 149:4 173:5 <b>commercially</b> 71:13 <b>Commission</b> 114:12 197:9,15	<b>commissioned</b> 7:21 <b>commissions</b> 8:8 13:20 14:4 <b>commitment</b> 14:21 <b>committed</b> 9:16 <b>committee</b> 10:22 11:1 26:10 30:5 40:9 44:11,12 197:9 <b>common</b> 59:13 <b>communicate</b> 128:15 <b>communicated</b> 157:14 <b>communicating</b> 123:6 <b>communication</b> 11:14 <b>communications</b> 11:5,6 121:18 <b>community</b> 122:13 151:19 <b>compared</b> 50:1 54:20 76:19 <b>comparing</b> 158:15 <b>competing</b> 25:9 <b>complementary</b> 34:3 197:18 <b>complements</b> 43:14 <b>complete</b> 116:15 121:1 159:16 <b>completed</b> 115:1 <b>complex</b> 121:8 188:9 191:6 <b>complexities</b> 191:12 <b>compliance</b> 110:3,4 110:13 124:2,10 124:11,12,15,17 124:22 125:2 126:7 138:5 163:14 <b>complicating</b> 190:7 <b>comprehensive</b> 118:21 194:14 <b>Compton</b> 116:18,21 132:2 133:10,21 135:12,14 136:12 140:3,18,21 141:5	141:11 143:8 144:22 146:12,15 157:7 159:13 <b>computers</b> 195:20 <b>concern</b> 84:22 85:4 85:21 94:17 95:12 111:20 157:21 170:5 178:19,22 <b>concerned</b> 32:11 <b>concerns</b> 23:4 30:6 128:1 129:3,6 157:14 159:19 161:15 166:13 179:18 196:17 <b>concise</b> 121:1 <b>conclude</b> 140:1 <b>concludes</b> 115:21 <b>conclusions</b> 3:8,10 <b>conditions</b> 113:21 <b>conduct</b> 148:17 191:19 <b>conducted</b> 35:18 58:16 161:20 <b>conference</b> 17:15 46:2 <b>confidence</b> 11:12 <b>configuration</b> 77:15 98:12,17 <b>confirm</b> 104:15 <b>conflicts</b> 63:15 <b>confused</b> 199:15 <b>confusion</b> 85:3 100:3 108:19 110:9 199:13 <b>Congress</b> 27:20 193:6,17,20 194:1 194:5,9 <b>congressional</b> 9:3 <b>conjunction</b> 76:3 106:4 <b>connected</b> 60:2,9 <b>consequences</b> 199:13 <b>Conservancy</b> 178:16 <b>consider</b> 9:22 19:11 28:19 42:4 52:21 55:1 56:1 59:2	65:7 80:22 87:17 118:6 188:22 <b>considerable</b> 31:11 <b>consideration</b> 54:12 56:8 199:10 <b>considered</b> 21:7 31:2 36:13 50:5 62:6 73:9 118:7 <b>considering</b> 53:20 60:6 94:11 128:14 183:6 198:18 199:18 <b>consistency</b> 57:7 <b>consistent</b> 193:2 195:17 <b>consistently</b> 160:1 <b>consolidated</b> 55:10 <b>constantly</b> 137:8 <b>constituencies</b> 170:21 <b>constituent</b> 13:22 121:3 127:8 128:5 <b>constituents</b> 11:13 11:17 28:7 123:16 123:20 124:3 127:12 128:2 129:10,14 154:7 170:16,19 177:13 196:1 <b>contact</b> 134:22 141:15 <b>contacts</b> 87:8 <b>contend</b> 5:11 <b>contention</b> 8:22 <b>CONTENTS</b> 2:5 <b>context</b> 50:5 131:7 <b>continual</b> 158:20 <b>continually</b> 28:2 <b>continuation</b> 52:16 <b>continue</b> 55:17,22 160:22 190:15 194:18 196:14 <b>continued</b> 52:18 54:12 <b>continuing</b> 61:11 96:22 158:11 164:20 195:2,21 197:13	<b>contracting</b> 54:15 <b>contrary</b> 29:17 <b>contrasting</b> 196:10 <b>contributing</b> 185:21 <b>control</b> 112:6 114:9 159:17 <b>Controlling</b> 192:3 <b>controls</b> 86:12,14 198:12 <b>controversial</b> 129:4 <b>conversation</b> 171:20 <b>conversations</b> 154:9 156:16 <b>cooler</b> 87:11 <b>cooperation</b> 105:8 <b>cooperative</b> 105:13 <b>coordinate</b> 122:16 126:4 <b>coordination</b> 126:5 129:21 197:14 <b>copied</b> 146:2 <b>copy</b> 117:16 <b>corner</b> 132:19 133:11 140:8 <b>correct</b> 24:15 97:11 97:14,20 100:22 150:21 155:10 <b>Cortez</b> 179:16 <b>cost</b> 106:1,14,22 118:15 122:14 <b>Costa</b> 153:11 <b>council</b> 13:19 54:4 68:5,8 88:14 113:15,16 <b>councils</b> 4:18 5:1 14:5 114:11 <b>count</b> 93:2 <b>counted</b> 93:21 <b>counting</b> 32:12 33:12 34:11,16,18 <b>country</b> 27:4 144:11 175:10 188:19 <b>counts</b> 51:2 <b>couple</b> 10:8 52:10 56:17 63:1 75:5,15 83:3 89:10 95:1 100:13 101:14
---	---	---	--	---

111:4 140:3 148:9 152:18 153:12 157:20 172:14 178:18 183:5 195:19 200:15 201:4 <b>course</b> 21:22 38:2 38:16,20,22 39:6,9 43:7 74:5 98:9 110:3,15 130:17 132:9 181:1,20 <b>court</b> 163:21 <b>cover</b> 20:3 <b>coverage</b> 202:10 <b>covered</b> 93:4 113:8 <b>cows</b> 44:4 <b>co-ops</b> 149:3 <b>CPEU</b> 199:5 <b>Craig</b> 25:20 <b>create</b> 94:16 100:2 <b>creating</b> 92:16 189:2 <b>creative</b> 167:20 168:21 <b>creatures</b> 156:4 <b>credit</b> 20:19 <b>crew</b> 64:21 72:1,2 80:2 163:3 <b>criminal</b> 37:20,21 40:12 <b>crisis</b> 112:12 <b>critical</b> 11:7 45:3 176:15 <b>criticism</b> 37:14 <b>crossing</b> 80:15,16 <b>Cup</b> 150:19 151:18 <b>curious</b> 179:7 <b>current</b> 12:3,6 15:3 15:15 16:2 18:7,20 42:19 46:10 119:7 126:14 144:17 <b>currently</b> 5:16 18:9 19:1 20:3 55:19 57:3 59:10 72:8 81:14 92:7 94:8 98:19 106:14 <b>cusps</b> 119:2 <b>Customs</b> 144:9	<b>cutter</b> 75:7 <hr/> <b>D</b> <hr/> <b>damage</b> 42:4 <b>damn</b> 41:19 <b>Darby</b> 11:6 <b>dark</b> 132:14 <b>data</b> 5:6,10,16 6:6 6:22 7:12,12 8:20 9:5 11:11 12:3 15:4,6,15 16:1,9 17:1,5 21:5 22:21 23:10 24:16,17,18 24:18 25:22 27:9 28:19,20 29:5 32:7 32:8 34:6,10 35:13 36:4,10 42:10 45:12 47:13 55:19 56:2,9 61:13 63:5 64:3 70:11,16 78:12,13 151:8 158:13,15 160:7,8 161:12,22 162:2 168:13 175:21 199:5,19 <b>date</b> 3:5 28:5 29:15 159:8 160:4 182:6 <b>Dave</b> 20:20 46:19 <b>day</b> 19:3 24:3 50:20 65:8 80:19 126:15 178:7 185:7,8,18 <b>days</b> 19:1 138:11 202:11 <b>dead</b> 63:5 102:15 150:17 151:3 161:9 192:3 198:20 199:1 <b>deal</b> 10:15,15 95:17 161:20 167:15 175:1 <b>dealer</b> 195:15 <b>dealers</b> 121:11 124:4 127:16 129:19 195:19 <b>dealing</b> 114:12 175:5 <b>deals</b> 168:16 <b>dealt</b> 73:22	<b>death</b> 161:9 <b>debatable</b> 87:6 <b>debate</b> 89:4 171:14 199:16 <b>debates</b> 89:8 <b>decade</b> 87:13 <b>decades</b> 6:17 <b>December</b> 26:7 182:6 <b>decide</b> 87:16 118:15 <b>decided</b> 43:10 <b>deciding</b> 86:17 138:9 <b>decision</b> 53:1 54:10 <b>decisions</b> 179:5 <b>deck</b> 80:18 <b>decline</b> 151:22 <b>dedicated</b> 178:18 <b>deem</b> 164:4 <b>deemed</b> 165:19 <b>defend</b> 157:12 <b>define</b> 100:8 <b>defined</b> 77:18 85:1 107:19 166:6 <b>defining</b> 199:11 <b>definitely</b> 32:17 48:5 121:17 150:7 167:22 169:15 171:2,7 200:7 <b>definition</b> 55:7,8 73:17 75:16,19 76:21 77:4,19 78:5 80:9 96:12,18 97:5 97:10 99:7,10 100:6 163:16,19 164:2 166:5 199:14,16 <b>definitions</b> 193:17 <b>definitive</b> 3:9 4:2 <b>degree</b> 84:3,3 <b>degrees</b> 163:17 <b>dehooking</b> 75:5 <b>delay</b> 9:2 <b>delegation</b> 47:14 <b>demands</b> 7:11,13 <b>demonstrate</b> 75:4 <b>demonstrated</b> 48:10	<b>dent</b> 51:4 <b>Denver</b> 36:12 <b>DEPARTMENT</b> 1:2 <b>dependent</b> 121:6 <b>depending</b> 107:1 180:4 <b>depends</b> 173:1 <b>DePERSIA</b> 33:1 81:6,7 110:20 <b>describe</b> 59:19 <b>described</b> 72:10 76:14 91:12 <b>describing</b> 75:9 97:9 <b>description</b> 76:22 107:18 <b>deserves</b> 8:11 <b>design</b> 12:7,11 20:6 23:19 24:7,10 157:13 182:16 <b>designate</b> 84:2 <b>designation</b> 62:6 84:10 <b>designed</b> 120:8 188:5,6 <b>designing</b> 182:15 <b>desperate</b> 92:17 <b>detail</b> 130:10 <b>detailed</b> 182:21 <b>details</b> 90:16 130:13 <b>determine</b> 25:14 120:1 <b>detrimental</b> 151:12 <b>devastated</b> 176:17 <b>develop</b> 21:15 43:13 54:10 118:18 125:21 129:20 <b>developed</b> 105:7 110:2 <b>developing</b> 21:20 54:22 55:9 73:7 91:3 128:16 145:2 <b>development</b> 117:11,12 118:1 <b>devices</b> 75:5 105:3 <b>Dewey</b> 166:20 172:12 177:14	193:14 <b>diagram</b> 196:20 <b>diameter</b> 74:17 <b>Diane</b> 116:1,9 117:4 130:3 139:22 <b>diane.steffen@no...</b> 130:5 <b>Dick</b> 28:12 29:22 30:1 31:21 37:9 39:11 40:6 45:6 62:15 63:20,21 64:6 <b>dictated</b> 26:13 <b>die</b> 169:20 <b>died</b> 152:21 <b>difference</b> 31:11 155:13 184:6 193:19 <b>differences</b> 197:4 <b>different</b> 5:15,17 6:1,2,5 22:10 28:16,20 32:13,15 33:17 34:8 66:14 67:18 93:7 95:6 107:9 130:19 144:1 152:11 155:7 157:1 167:16 174:7 187:22 189:19 193:22 194:3,10 <b>differentiating</b> 142:19 <b>differently</b> 155:8 <b>differs</b> 5:19 <b>difficult</b> 5:12,13 64:22 98:18 131:4 <b>difficulty</b> 139:7 <b>dink</b> 150:12 153:19 <b>direct</b> 44:22 121:14 122:13 127:17,17 171:11 <b>directed</b> 72:21 178:8 186:5 187:16,19 <b>direction</b> 127:4 <b>directions</b> 138:18 162:19 <b>directly</b> 136:8
--	---	--	---	---

<b>director</b> 12:21 163:18	118:9 120:9 121:22 125:13 126:5 130:10 200:7	108:6,10	<b>effective</b> 107:15 120:2 150:10 185:9	<b>emphasize</b> 111:17 <b>emphasized</b> 30:14 <b>employ</b> 122:21 <b>employees</b> 173:20 <b>encourage</b> 26:17 159:15
<b>directors</b> 10:8 122:11 123:5 124:5 127:20	<b>divisions</b> 131:7	<b>drive</b> 124:21 125:16 152:3,4	<b>effectively</b> 89:16 94:17	<b>encouraging</b> 48:7 <b>endangered</b> 169:18 <b>endorsement</b> 109:4 <b>endorsements</b> 109:15
<b>disable</b> 92:10,20	<b>division's</b> 120:22	<b>driven</b> 20:21	<b>effectiveness</b> 90:20	<b>ends</b> 16:13
<b>disagree</b> 101:14 172:3	<b>doable</b> 49:11	<b>drop</b> 76:8	<b>efficiency</b> 57:5	<b>endurance</b> 51:13
<b>disagreement</b> 197:1	<b>dock</b> 23:6 33:19 38:17 100:21 152:7 153:15	<b>drove</b> 51:13	<b>efficient</b> 24:9	<b>enforce</b> 154:1,6
<b>disallowed</b> 92:8	<b>docks</b> 6:4 148:16	<b>dual</b> 32:4,17 189:19	<b>efficiently</b> 12:22 85:17	<b>enforcement</b> 38:18 88:9 98:14 109:11 109:22 110:11 111:5 168:13,22 193:19 194:18
<b>disappear</b> 147:19	<b>dockside</b> 23:2,8 33:20 42:12,16 43:13 126:11	<b>ducks</b> 160:6	<b>effort</b> 16:15 18:13 21:9 24:1,5,11,12 29:11 33:22 34:13 36:4 39:5 41:20 129:8 190:12 199:19	<b>engaged</b> 127:13 <b>England</b> 85:22 87:5 87:14 88:14 89:15 105:1 106:5 113:15 114:20
<b>disappearing</b> 148:16,17	<b>documents</b> 139:3,8 141:14	<b>due</b> 22:13 26:5 39:15 101:1 153:3	<b>EGFPs</b> 142:9	<b>entering</b> 130:21 132:6
<b>disappointed</b> 149:16	<b>dogfish</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>dumber</b> 134:9,11	<b>egg</b> 120:15	<b>entire</b> 170:18 178:17 179:11
<b>disaster</b> 167:6,9,21	<b>doing</b> 11:18 12:10 12:20 18:21 21:4 25:5 28:9 49:10 59:17 73:12 90:2 95:3 102:11 118:21 119:9,10 128:11 135:4 150:4 157:9 169:15 172:15 178:2 199:7	<b>DVD</b> 162:22	<b>eight</b> 66:13,15 67:6 76:16 104:14	<b>equal</b> 191:4
<b>discard</b> 93:20	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>dynamic</b> 114:8	<b>either</b> 10:16 69:21 89:17 92:10 100:21 102:13 110:9 135:10 136:8	<b>equally</b> 198:3
<b>discards</b> 192:3 198:20 199:1	<b>doing</b> 11:18 12:10 12:20 18:21 21:4 25:5 28:9 49:10 59:17 73:12 90:2 95:3 102:11 118:21 119:9,10 128:11 135:4 150:4 157:9 169:15 172:15 178:2 199:7	<b>earlier</b> 74:9 127:15 171:5	<b>EIS</b> 189:18	<b>equipment</b> 59:4 90:14
<b>discourage</b> 190:12	<b>dogfish</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>ease</b> 62:18	<b>elaborate</b> 150:1	<b>equitable</b> 68:20
<b>discuss</b> 128:17 148:11	<b>doing</b> 11:18 12:10 12:20 18:21 21:4 25:5 28:9 49:10 59:17 73:12 90:2 95:3 102:11 118:21 119:9,10 128:11 135:4 150:4 157:9 169:15 172:15 178:2 199:7	<b>easier</b> 74:20 125:5 127:2	<b>electronic</b> 3:7 25:2 25:8 78:18 90:3,5 121:18 195:16	<b>especially</b> 41:14 101:21 139:2 145:17 186:13
<b>discussed</b> 94:19 202:1	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>eat</b> 92:14	<b>elevated</b> 55:12 77:5	<b>essential</b> 199:3
<b>discussion</b> 2:12 52:15,17,19 76:6 109:9 115:22 117:19 170:14 171:7 198:12,21 199:3,8	<b>doing</b> 11:18 12:10 12:20 18:21 21:4 25:5 28:9 49:10 59:17 73:12 90:2 95:3 102:11 118:21 119:9,10 128:11 135:4 150:4 157:9 169:15 172:15 178:2 199:7	<b>easily</b> 94:1	<b>eliminating</b> 189:4 191:21	<b>essentially</b> 118:14 122:21 154:15
<b>discuss</b> 128:17 148:11	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>East</b> 3:19 148:14	<b>Ellen</b> 61:22 62:1,14 144:15 154:17,18 157:6 158:14 163:9 166:21	<b>establish</b> 39:9 <b>established</b> 106:21 <b>estate</b> 149:9
<b>discussed</b> 94:19 202:1	<b>doing</b> 11:18 12:10 12:20 18:21 21:4 25:5 28:9 49:10 59:17 73:12 90:2 95:3 102:11 118:21 119:9,10 128:11 135:4 150:4 157:9 169:15 172:15 178:2 199:7	<b>easy</b> 5:12 103:10 124:17 133:5,8 135:20 137:1 196:8	<b>Ellen's</b> 85:9,10	<b>estimate</b> 19:16 41:17 43:10,12 45:4 105:22
<b>discussions</b> 94:9 202:6	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>eat</b> 92:14	<b>else's</b> 78:8 85:13	<b>estimates</b> 16:19 19:15 21:8 34:7
<b>dismal</b> 185:1	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>eaten</b> 33:12 112:4	<b>email</b> 121:17 122:1 122:18,22 123:1,7 124:18,22 127:21 129:16,16 130:4	
<b>disqualify</b> 163:20	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>eating</b> 82:6 112:11	<b>emails</b> 125:1 127:22	
<b>dissenter</b> 169:9,10	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>eats</b> 178:5		
<b>distinct</b> 3:16	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>echo</b> 138:22 154:19		
<b>distinction</b> 98:5,21 113:2 130:18	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>economic</b> 167:5,9 167:20 168:4		
<b>distinctly</b> 171:12	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>economy</b> 149:9 168:9		
<b>distinguish</b> 195:11	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>educate</b> 11:18 170:7		
<b>distribute</b> 124:8,14	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>educated</b> 174:2		
<b>distributed</b> 198:3	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>education</b> 11:5,7 196:6		
<b>diverse</b> 14:3 31:17	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14	<b>effect</b> 18:14 22:21 120:1 158:3 159:6 160:20 161:21 170:4 172:8		
<b>diversion</b> 128:9	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14			
<b>diversity</b> 5:22 13:15 13:16,18	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14			
<b>division</b> 29:1 38:18 54:2 68:6 116:22	<b>dois</b> 89:12,15,19 90:4,5 103:15,16 103:16,20 111:18 112:4,11,12,15 113:12,17,18 115:9,14			

40:18 42:11 43:6 43:15 47:6,8 49:1 49:19 50:21 <b>estimation</b> 23:18 <b>evaluate</b> 16:1 18:6 23:18 26:7 158:18 <b>evaluated</b> 119:7 <b>evaluating</b> 17:21 <b>evaluation</b> 116:12 116:15 119:1 <b>event</b> 151:18 <b>events</b> 152:9 <b>eventually</b> 78:17 <b>everybody</b> 81:18,22 101:19 116:19 162:1,12 167:17 168:15,16 175:21 177:6 <b>exactly</b> 48:17 85:10 100:17 <b>example</b> 4:5 29:8 35:17 111:4 128:6 190:8 <b>examples</b> 30:18 105:13 <b>excellent</b> 42:6 <b>exception</b> 27:3 <b>excited</b> 71:20 117:8 <b>exciting</b> 62:4 103:5 <b>exclusive</b> 22:17 40:3 <b>exclusively</b> 123:7 <b>Excuse</b> 148:2 <b>executive</b> 14:1 26:10 <b>exempt</b> 13:8 <b>exempted</b> 142:10 <b>exemption</b> 13:10 27:1 154:12 <b>exist</b> 148:19 <b>existing</b> 20:11 125:3 <b>expand</b> 16:9 17:5 19:11 21:6 <b>expanded</b> 57:19 <b>expanding</b> 25:4 <b>expansion</b> 20:1 <b>expect</b> 9:21 60:20 147:6 180:20 181:8 182:3	<b>expected</b> 61:3 <b>expecting</b> 182:18 <b>expensive</b> 130:11 <b>experience</b> 150:9 188:19 <b>Experiment</b> 105:10 <b>experimenting</b> 90:3 <b>expert</b> 173:4 <b>expertise</b> 173:22 174:10 <b>experts</b> 50:16 <b>explaining</b> 122:20 127:22 <b>explanation</b> 105:15 <b>exploring</b> 25:2 199:5 <b>express</b> 192:9 <b>expressing</b> 155:5 <b>extend</b> 15:21 <b>extension</b> 182:10 <b>extent</b> 121:18 199:2 <b>extra</b> 102:15 <b>extrapolating</b> 45:12 <b>extremely</b> 154:3 <b>Exxon</b> 177:1 <b>eye</b> 55:4 80:5 96:4 148:6 152:18	197:6 <b>fall</b> 26:16 53:3 60:21 97:10 103:9 114:1 <b>falls</b> 5:11 <b>familiar</b> 12:19 66:11 129:5 158:5 <b>families</b> 176:16 <b>FAQ</b> 129:21 146:9 <b>far</b> 10:3 36:10 63:5 66:10 95:12 125:11 128:7 134:2 141:16 170:9 177:11 178:4 193:19 <b>fast</b> 50:6 <b>favor</b> 84:18 172:5,7 <b>favorable</b> 54:5 <b>favorites</b> 136:4 141:7 <b>fax</b> 123:17 <b>faxes</b> 122:1 123:18 <b>faxing</b> 195:22 <b>February</b> 35:19 36:17,20 159:5 <b>federal</b> 13:11 141:15 148:21 157:5 <b>feed</b> 95:22 <b>feedback</b> 117:20 123:14 125:6 127:1 128:19 129:7 131:22 144:14 <b>feel</b> 30:7 31:15 42:21 47:20 48:6 73:6 149:19 150:3 163:21 164:8 167:10 <b>feeling</b> 160:16 <b>feet</b> 112:3 114:5 201:12 <b>fellow</b> 138:10 152:7 <b>fellows</b> 110:21 <b>field</b> 24:9 127:5 <b>fight</b> 152:20,22 <b>figure</b> 73:18 87:2 164:9,10 165:11	175:11 <b>figured</b> 175:18 176:10 <b>file</b> 33:4 <b>fill</b> 34:21 57:2 69:7 <b>filling</b> 35:8 70:3 79:10 80:3 <b>fin</b> 29:8 60:13,14 193:4 <b>final</b> 27:19 57:19 61:2 78:7 80:7 128:10 129:9 145:3 182:4,8 <b>finalized</b> 118:6 130:3 <b>finalizes</b> 73:10 <b>finally</b> 27:12 44:3 75:1 106:2 118:17 172:15 <b>find</b> 45:2 59:18 87:11 89:3 131:4,8 134:4,12,21 135:8 135:9 137:4,19 139:4 142:16 143:4,6,10,17 145:6 162:7 174:9 <b>finding</b> 92:4 132:21 137:20,20 138:3 139:3,7,11 170:3 <b>fine</b> 91:15 <b>finished</b> 42:3 <b>finite</b> 80:9 <b>finning</b> 194:1,18,20 <b>fins</b> 194:21 196:15 <b>first</b> 5:2 7:8 9:11,17 15:7 20:7 22:2 27:16 36:15 40:3 43:2 62:17 73:2 84:18 108:22 120:20 121:10,14 126:11 127:16 131:18 141:3 147:20,21 148:4 148:11 182:7 198:17 201:6 <b>firsthand</b> 153:13 <b>FIS</b> 29:18 <b>fiscal</b> 9:18 17:19,22	<b>fish</b> 3:22 6:2,3 22:12 33:13,13 37:19,19 38:13,19,22 39:1 40:13 41:19 57:4 63:14 64:16,17 66:17 67:7,16 69:13,18 71:11 76:18 81:16,18,21 82:2,9,18,22 83:4 83:9,16 86:18,19 95:15,22 96:1,10 96:13,16 99:16 100:17 101:10,22 102:9,15 103:3,18 104:20 106:5 107:12 112:7,9,10 112:22 138:15 143:5 148:15 151:6 155:3,8 163:20 172:22 178:5 183:21 184:3,11,15 185:8 185:16 188:7,21 190:15,20 192:2 199:3 <b>fished</b> 36:19,20 103:4 153:12 186:6 <b>fisheries</b> 1:5 5:6 6:1 7:3 8:20 10:15,16 13:20 14:11,12 17:7 20:13 29:18 33:5 42:20 54:3,10 58:17 61:19 68:7,7 91:1 102:18 118:4 121:4 127:9 132:10,18 133:2 133:15 140:6 143:15 161:10 162:6,13 168:7 169:21 172:15 176:16 177:12 179:6 194:2,6 197:5,8,15 <b>fisherman</b> 100:15 106:18 <b>fishermen</b> 35:9 36:3 58:15 63:6,13,14
---	--	--	--	---

63:16,17 87:15 88:16 89:5 98:1 101:17 104:19 110:10 121:10 124:4 127:16 129:19 152:1,1,7 176:16 178:12 187:12	153:16,19 178:21 186:1 191:1,2 <b>five</b> 6:14 11:21 15:7 22:8 44:18 54:7 76:16 90:10 150:21 160:2 177:19 <b>fix</b> 53:14 115:15 120:11 182:1 <b>flavor</b> 189:10 <b>fleet-wide</b> 191:22 <b>Fletcher</b> 13:20 <b>flexibility</b> 6:18 57:5 179:21 <b>flexible</b> 6:12 <b>flip</b> 182:21 <b>floor</b> 117:19 <b>Florida</b> 15:8,13 17:14 20:4,20 35:22 37:12 40:17 48:20,22 49:8 52:1 108:11 115:8 145:17 150:5 <b>Florida's</b> 20:21 <b>fly</b> 106:6,11 <b>flying</b> 87:8,9 95:22 96:1 106:5 <b>FMP</b> 55:11 57:19 198:4 <b>focus</b> 12:7 15:11 37:12 39:3 126:9 130:11 168:12 200:12 <b>focused</b> 9:8 12:2,4 13:15 <b>focuses</b> 16:15 <b>focusing</b> 20:16 119:13 <b>folders</b> 116:11 <b>folks</b> 8:6,6 13:19 14:10 16:8 20:16 21:20 34:8 35:9 58:14 136:17 147:14 159:21 162:6,15,15 181:2 188:16 191:22 192:9 196:11,12 196:16 199:7	<b>follow</b> 133:16 140:2 145:8 <b>following</b> 117:14 201:22 <b>follow-on</b> 76:14 <b>follow-up</b> 117:19 <b>food</b> 168:8 <b>foolish</b> 41:22 <b>foot</b> 40:13 85:16 174:4 <b>Forbes</b> 11:5 <b>force</b> 171:2 <b>forced</b> 114:12 188:21 <b>Fordham</b> 178:15,15 <b>forever</b> 135:11 <b>forget</b> 108:18 <b>forgotten</b> 29:16 <b>form</b> 35:11 116:15 149:3 <b>format</b> 28:22 <b>former</b> 10:7 <b>forms</b> 141:13,19 <b>fortunate</b> 155:20 <b>forum</b> 147:17 <b>Forum/Public</b> 2:16 <b>forward</b> 2:19 25:15 90:16 125:7 129:7 151:14 174:4 202:19 <b>for-hire</b> 68:19,19 80:11,13,19 98:15 <b>found</b> 31:10 124:2 137:12 <b>Foundation</b> 91:17 <b>foundations</b> 171:13 <b>four</b> 17:18 104:3 124:5 161:3 184:1 184:3 <b>fourth</b> 21:17 <b>four-year</b> 198:9 <b>FR</b> 138:8 <b>frame</b> 12:16 27:11 32:4 42:8 52:21 182:8 <b>frames</b> 32:17 <b>framework</b> 119:18 179:21	<b>frankly</b> 136:10 <b>free</b> 60:5,6 149:8 <b>frequency</b> 19:21 49:22 <b>Frequently</b> 146:5,7 <b>friend</b> 50:17 101:2 <b>friendly</b> 131:8 145:7,16 <b>front</b> 133:18 139:17 <b>frustration</b> 157:21 <b>FTEs</b> 44:18 <b>fueled</b> 7:19 <b>full</b> 62:21 87:17 <b>fully</b> 36:8 193:12 <b>full-blown</b> 21:15 42:22 <b>function</b> 50:2 <b>functionally</b> 143:9 <b>functions</b> 124:18 <b>fund</b> 155:6 <b>funded</b> 26:9 <b>funding</b> 8:11 27:14 158:1,11 162:7 <b>fundraiser</b> 151:21 <b>funds</b> 9:15 14:21 149:3 157:8 <b>further</b> 80:9 168:14 <b>future</b> 9:20 21:16 74:8 150:1 176:2,5 177:11	36:5 <b>gear</b> 52:13 54:11,19 54:20 55:6 56:4,10 56:22 57:7,20,21 58:9,19 59:3,7,9 59:11 60:15 61:11 61:13,14,18 62:8,9 62:9,19 63:2 65:14 68:15 73:21 75:9 78:16,19 79:4,7,12 79:14 80:11,14,16 80:18 84:20 85:2,3 85:5,17 86:9,9,17 88:7,7,12 90:22 92:2,20 93:12 94:15 95:21 96:16 97:5,11,15,18,22 98:2 99:7,8,10,15 99:20 105:21 106:1,3 107:16,19 107:20 109:13,14 113:6 181:13 183:4 189:6 199:9 199:12,18 <b>gears</b> 54:20 58:13 58:15 72:10,12 89:18 90:19 91:3,5 91:7,11,13,20 109:8,21 199:21 199:22 <b>Gear-based</b> 188:14 <b>general</b> 17:11 44:13 55:5 56:3,10,14,20 57:2,10,22 65:16 69:7,16,21 79:2,10 80:3 83:17 84:21 88:2 99:2 100:12 104:15 112:21 162:8 167:3 189:2 192:21 198:15 <b>generally</b> 23:8 106:22 124:16 199:19 <b>generate</b> 198:22 <b>geographical</b> 199:11 <b>George</b> 71:18 <b>getting</b> 4:22 8:10
<b>G</b>				
<b>gaf</b> 103:20 <b>gaffed</b> 103:18,19 <b>Gail</b> 28:12,14 30:3 64:7 68:1 70:7,9 132:4 135:16 137:14 138:19 144:3,13 <b>game</b> 176:11,12,13 <b>gangions</b> 55:14 <b>gap</b> 38:8,14 <b>gaps</b> 15:6 35:8,13 35:21 36:10,16 38:7 <b>gas</b> 33:6 <b>gather</b> 78:13 <b>gathering</b> 35:14				

10:5 14:19 16:19 16:20 27:16 34:6 39:21 44:3 63:10 73:15,16 85:11 86:21 90:7 104:18 121:15 122:6,12 125:7 129:7,12 133:8 135:3 142:12 145:15 172:17 176:18 178:7 <b>giant</b> 64:13,14,18 65:2,9,14 67:15,17 83:5 86:12,20 89:14 96:9 100:20 103:1,6 <b>giants</b> 66:5 83:17 100:18 104:20 112:2,9 <b>gist</b> 53:16 <b>give</b> 4:15 13:13 18:14 19:2 20:19 26:2 43:15 50:7 57:12 72:13 118:19 128:10 131:12 146:14,22 147:12 156:12 164:1,4 175:8 176:18 184:10,18 190:21 <b>given</b> 4:20 14:11 26:14 88:3 154:22 155:10 172:3 198:13 <b>gives</b> 34:10 41:13 101:15,15,16 104:19 144:17 <b>glad</b> 30:3,10 85:12 87:21 105:14 116:19 148:5 161:9 162:1,12 <b>global</b> 168:9 <b>glorified</b> 162:11 <b>Gloucester</b> 52:3 86:5 <b>go</b> 4:11 5:5 14:6 21:15 27:6 28:4 31:16,21 32:21	33:4 35:4 37:18 40:6 41:4,8,20 42:17 43:16 44:22 45:5,16 49:3 53:14 66:14 80:20 83:8 85:17 87:15 100:18 102:19 103:2 115:5,12 116:7 119:16 120:19 125:17 126:7,22 130:8,22 132:10 133:1,6,15 134:15 135:8 136:3 140:14 141:3,17,20 142:1 142:6,15 144:3,21 145:12 147:22 156:5,9 162:20 163:2 165:11 172:6 177:5 179:22 181:5 184:12,16 188:3 189:6,13 190:14 190:20 191:12 196:13 197:2 198:2 <b>goal</b> 5:7,8 121:7 122:9 123:11,22 125:4 127:6,7 129:9 168:15 <b>goals</b> 119:20 120:13 120:14,17,17,20 <b>goes</b> 70:11 100:15 100:16 102:8 151:14 159:5 163:12 164:3 165:15 174:20 176:17 201:8 <b>going</b> 5:5 6:17 9:20 11:7,15,22 13:5,10 14:6,18 15:10 17:10 18:2 20:4,17 21:8,9 22:14 23:7 23:13,20 25:12,17 26:20,21 27:14,18 27:19 28:17 29:12 29:15,17 30:9,11 32:21 33:2,12 35:2	35:20 36:5,14 37:5 37:6,6 38:14,21 40:16 41:4,18 42:10 43:3,7,9 44:1,18,19,19 46:2 46:10 47:14 49:13 51:11 52:4,8 53:11 56:16 62:18 67:4,5 67:6,7,8 74:7 75:2 75:9 77:17,21 78:11,13 80:2 82:4 82:6,10,11,13,15 82:17,19,20,21 83:1,1,7,8,8,10,11 84:8,9 85:15,18 86:1,19,22 87:2,11 89:6 93:10 95:18 99:3,22 100:2,8,8 100:20 101:20 102:21 104:20 105:20 110:2 111:19 112:19 113:7,17 114:8 116:3,7 117:10 118:17 120:19 122:15 138:4,16 142:16,21,22 143:10,17,19 146:19 149:14 154:8 155:3,17 156:8 157:2,4 158:3 160:6,18,19 161:11 167:2,19 170:4 172:8 173:7 174:18 175:8 177:8,11 184:9,11 184:20 189:13 190:16 192:16 195:7 200:6 202:11 <b>good</b> 4:7,19 10:2 17:10 30:18 36:8 43:5 48:15 51:22 67:9 72:5,21 74:5 82:10 83:13 92:22 93:2 94:6 104:22 108:12 115:14,16 116:18 140:4	145:22,22 151:7 164:4 168:13 189:20 193:21 196:9 200:11 202:6,10 <b>Gordon</b> 10:9 11:3 13:5 26:18 <b>gotten</b> 69:19 87:21 <b>gouged</b> 152:17 <b>government</b> 39:16 123:15 148:21 156:7 190:10,20 <b>Governor's</b> 150:19 151:18 <b>GRA</b> 80:16,16 <b>grab</b> 39:7 47:13 <b>grabber</b> 59:12 <b>grabbers</b> 75:2 <b>gradually</b> 37:5 <b>Grand</b> 105:10 <b>grant</b> 157:9 159:17 <b>granted</b> 3:19 <b>grasp</b> 60:14 <b>Graves</b> 40:8,8 43:17 90:9 91:14 94:21 96:20 100:10 104:2 107:5 108:15 110:18 113:10 115:19 154:10 157:11 159:1,15 169:6,17 <b>great</b> 63:18 130:12 145:10 146:15 153:7 161:19 164:17 179:13 <b>greater</b> 7:11 31:18 172:9 179:11 <b>greatly</b> 87:1 <b>greenstick</b> 2:9,12 51:18 52:5,10,16 52:21 53:21 54:11 54:18,20 55:3,18 55:20 56:4,10 61:11,13 62:3 63:6 63:16 64:2 67:3,5 67:12 68:8,15 70:11 73:1,2,3 75:16,22 76:15	77:1,16,18,20 78:4 84:1,17,20 85:17 85:21 86:9,9 92:11 92:12 94:15 95:4,8 95:14,15 97:5,11 97:22 99:4,7,8,9 99:14,15,20 100:7 106:3,10 113:3,5 127:15 128:21,22 163:3 172:16 175:3,5 199:9,16 <b>greensticking</b> 100:4 <b>greensticks</b> 52:5,18 53:5,18 56:15 63:2 66:10,11,13 67:15 67:20 71:2,9 73:20 76:3,11 84:13 98:11 106:12 112:17 128:7 181:9 <b>greenstick/harpoon</b> 115:21 <b>greet</b> 174:21 <b>Greg</b> 55:8 <b>GREGG</b> 145:13 146:7,13 <b>gritty</b> 12:1 <b>ground</b> 138:11,15 <b>groundfish</b> 111:22 <b>grounds</b> 87:14 191:2 <b>group</b> 12:2,7,11 14:3,7,7,9,10,17 15:11 18:11 22:13 23:1,17 25:1,6,19 29:6 37:12 39:3 40:1 44:7 46:3,6,8 46:20 47:10,18,21 48:4,11,19,21 65:17 150:4 181:4 <b>grouper</b> 196:5 <b>groups</b> 10:17 11:21 15:7 17:15 22:9,11 22:16,20 25:9,10 29:8 39:20 40:2,5 110:1 130:11 177:5 <b>growing</b> 96:22
---	---	---	--	--

<b>Guard</b> 187:4	79:17	96:14 101:9,10	135:7 149:16	<b>highly</b> 1:13 14:8,9
<b>Guardsmen</b> 109:1	<b>handled</b> 79:18	103:3,5 111:6	161:10 165:5,14	14:12 16:1 17:6,9
<b>guess</b> 59:13 77:12	<b>handles</b> 178:8	181:10 199:17	175:21	55:10 132:9,12,18
93:6 137:16	<b>handline</b> 177:21	<b>harpooned</b> 94:2	<b>heard</b> 141:16 147:2	133:2,17,18
160:16,21 195:12	187:20	<b>harpooner</b> 111:13	164:20 180:19	139:15 140:7,17
196:21	<b>handling</b> 52:13 58:9	<b>harpooning</b> 69:13	182:20 188:10	148:19 150:10
<b>guidance</b> 163:13,14	58:13,18 59:3,7	82:16,18 93:11	194:16	<b>hinge</b> 155:5
165:16	61:18 73:21 75:8	96:3 103:14	<b>hearing</b> 42:18 89:8	<b>HINMAN</b> 134:1
<b>guide</b> 110:4,4,13	90:19,22 91:3,5,6	110:22 111:3	141:5 154:6	142:2 143:12
124:2,10,11,12,17	91:11 105:6	<b>harpoons</b> 52:11	170:19 180:8	<b>Hinteregger</b> 71:18
163:15	181:12	64:9 81:10,11	197:22	<b>hire</b> 12:20,21 15:21
<b>guideline</b> 200:20	<b>handouts</b> 28:3	83:22 102:9	<b>hearings</b> 61:1 86:3	16:20 20:9,11,12
<b>guides</b> 124:15,22	122:2	<b>harvest</b> 54:13 55:3	156:5	22:11 25:1,6,19
125:2 138:5	<b>hands</b> 131:20	57:9 129:4	<b>hearts</b> 117:7	31:4,6,9 32:8 58:5
<b>Gulf</b> 16:16 20:1	<b>hang</b> 94:4 147:17	<b>harvesting</b> 57:5	<b>heavy</b> 62:7,10,11	58:6,6 98:8
25:5 29:8 126:18	176:20	<b>hash</b> 174:14	150:15,17 151:5	<b>historical</b> 39:9
155:15 159:9	<b>HAPC</b> 199:4	<b>hashing</b> 151:8	151:10 154:12	45:17,18 68:9
199:4	<b>happen</b> 27:18 37:7	<b>HASIP</b> 187:4	<b>heck</b> 138:2 139:11	82:12 89:17
<b>gun</b> 79:17	41:2 82:19 83:2,8	<b>hat</b> 167:2	<b>heck's</b> 173:7	187:10
<b>gut</b> 102:15 156:22	83:10 85:19 111:9	<b>Hatteras</b> 62:17	<b>hedging</b> 165:12	<b>historically</b> 57:8
<b>guy</b> 83:2 89:11	111:9,10 152:5	148:3 149:1	<b>heels</b> 8:16	112:8
100:15 102:8,20	167:15	151:17,18	<b>held</b> 54:8	<b>history</b> 57:12,18
190:13	<b>happened</b> 28:15	<b>haul</b> 67:7	<b>hell</b> 103:15 173:16	<b>hit</b> 175:6
<b>guys</b> 23:14 32:10	52:19 77:21	<b>haulback</b> 98:12,17	176:4 177:1 194:9	<b>HMS</b> 2:19 4:20
41:16 82:20 101:4	111:12,15,16	<b>hauled</b> 66:18	<b>help</b> 14:16 20:13	12:22 15:11 16:9
110:22 114:3	162:11 201:3	<b>Hawaii</b> 71:8,11	21:14 39:2 44:10	17:15 20:13,17
132:20 133:19	<b>happening</b> 111:20	<b>head</b> 10:8 26:1	44:16 45:2 51:6	22:12,15,21 25:19
138:10 165:11	148:13	31:13 52:12 55:6	62:21 90:14 110:2	30:7 38:8,12 46:3
177:20 178:6	<b>happens</b> 92:1	56:3,11,13,18,22	122:22 123:3	48:19 52:1,3 74:3
	102:18 111:8	57:14,17,21 58:3	126:12 128:4,4	118:3 119:5
<b>H</b>	124:16 176:21	61:15 64:10,11,12	131:11 132:16	120:21 121:4,4,5
<b>habitat</b> 199:3	<b>happy</b> 31:3 85:9	65:5 69:20 78:20	161:13 162:7,18	121:20 122:18
<b>haddock</b> 111:22	138:9 154:8	79:6 81:15 87:18	168:14 192:17,18	123:1,4,8 124:22
<b>half</b> 7:22 49:15	160:15	98:5,9,10,11 99:1	193:11	125:3,4 126:8,21
74:17 87:1 101:22	<b>hard</b> 4:2 6:4 8:11	100:15,19 101:9	<b>helpful</b> 50:3,8 109:7	127:2,8,8,9 128:13
163:10	135:3 139:14	112:20 113:3,7	116:16 144:6	129:11,18 130:13
<b>Halloween</b> 202:18	191:16	127:19 173:16	146:4 189:12	130:19 131:1,1
<b>hammerhead</b> 179:2	<b>harmful</b> 151:11	176:20 181:10	<b>helping</b> 190:22	133:5,9 134:4,6,8
179:16 180:9	<b>harpoon</b> 52:11	183:11,14 184:5	<b>HEMILRIGHT</b>	136:8 141:14
<b>hand</b> 57:7 62:4	56:17,22 57:14,18	199:18	172:13 193:15	145:9 162:15
74:12 97:15 107:2	58:2 61:14 64:18	<b>heading</b> 142:4	<b>Henry</b> 179:15	163:3 200:8
107:20 132:19	64:22 65:15 68:16	<b>headquarters</b> 10:11	<b>hey</b> 174:22	<b>hoc</b> 127:22 131:22
133:1,14 135:17	68:17 69:3 78:19	<b>heads</b> 99:12 131:18	<b>high</b> 7:16 16:7,17	<b>Hogarth</b> 9:16
164:9 165:10	79:7 80:6 81:14	<b>healthy</b> 3:12	18:17 152:10	<b>Hogarth's</b> 149:13
189:6,6 195:7	82:11 83:13,21	<b>hear</b> 31:3 32:9 35:1	196:12	<b>hold</b> 57:14 60:12,14
<b>handgear</b> 189:1	86:1 87:18 88:11	46:9 61:6,10,14	<b>higher</b> 3:20 150:18	72:4 126:21
<b>handle</b> 16:18 17:3	88:15,17 89:1	80:4 85:10,12 89:7	186:1	142:22 172:10
19:5 21:1 22:3	93:18 96:10,11,11	105:15 123:14	<b>highlighting</b> 129:17	187:6 188:13

<b>holder</b> 57:14	35:2,10 102:7	<b>imagine</b> 12:13	70:2 74:11 79:11	162:18 200:10
<b>holders</b> 122:11	104:3 119:18	<b>immediately</b> 46:18	102:10 114:7	<b>informed</b> 28:8
126:20	131:12 134:11	<b>impact</b> 22:21 168:4	<b>incidental</b> 51:4	<b>infrastructure</b>
<b>holding</b> 128:14	149:2 202:4	<b>impacts</b> 189:15,17	184:21	41:16
176:6	<b>hoping</b> 192:18	<b>implement</b> 12:9	<b>inclination</b> 88:2	<b>inherent</b> 47:1
<b>home</b> 33:10 125:17	<b>hops</b> 174:20	18:1 22:7 32:5	<b>include</b> 19:12 57:21	<b>initiative</b> 5:4 6:10
131:16 136:7,13	<b>horizon</b> 153:10	37:6 42:17,22	73:8 122:1 124:18	7:4,15 9:18 10:18
136:14 140:10	<b>horse</b> 161:9	<b>implementation</b>	195:4	129:1 149:2
145:5 151:16	<b>hour</b> 51:12	118:8 119:1,3	<b>included</b> 54:1	<b>inlet</b> 38:21
153:14 175:7	<b>hours</b> 23:12 175:4	159:8 169:14	177:22	<b>innovate</b> 166:15
184:12,16	<b>houses</b> 148:15	<b>implemented</b> 7:9	<b>includes</b> 15:16	<b>innovative</b> 12:9
<b>honest</b> 101:4 102:6	<b>Hudson</b> 72:20,20	36:9 120:6 149:17	54:12 59:7,8 84:19	<b>input</b> 13:22 53:11
<b>honestly</b> 82:14	141:21 202:14	194:17	117:12	54:7 58:4 76:1
<b>Honolulu</b> 186:6	<b>huh</b> 202:18	<b>implementing</b>	<b>including</b> 120:22	118:5 179:5
<b>hook</b> 73:3 76:18	<b>human</b> 51:13	118:9 124:20	121:5 127:9 181:9	<b>inserts</b> 126:16
149:12 150:3,22	<b>Humane</b> 90:13	127:4	199:9	<b>inshore</b> 73:13
151:6 152:12,14	<b>hundreds</b> 74:3,4	<b>implications</b> 189:15	<b>increase</b> 9:22 57:9	<b>inside</b> 202:15
152:16,17,22	<b>hung</b> 55:15 153:11	200:8,16	63:5 74:16 153:4	<b>instance</b> 45:10 69:2
153:16 154:13	<b>hurry</b> 191:3,4	<b>import</b> 192:4	184:2,20 185:4,12	71:12 80:15
155:3 156:20,22		<b>important</b> 6:20 15:1	192:11 199:13	<b>instituted</b> 150:20
157:22 163:16,19	<b>I</b>	15:2 37:16 51:1	<b>increased</b> 3:21 51:2	<b>instructed</b> 74:6
163:20 164:5,11	<b>IAC</b> 157:18	53:7 138:14	126:9 129:3 153:3	<b>insurmountable</b>
164:16 166:2,4,13	<b>ICCAT</b> 37:18 40:8	139:17 163:4	173:21 178:20	44:21
169:22 174:17	41:4,15 44:11 45:5	<b>imports</b> 144:8 192:3	<b>increasing</b> 58:21	<b>integrate</b> 28:17 32:7
175:1 177:19	45:16 47:4,8,13	<b>imposing</b> 192:4	196:2 198:7	32:15
<b>hooked</b> 102:16	48:13 49:14 50:10	<b>impossible</b> 89:22	<b>independent</b> 7:20	<b>intended</b> 186:21,21
<b>hooking</b> 58:20	54:16 141:7,14,18	<b>impression</b> 69:15	<b>indicate</b> 70:21	<b>intense</b> 89:3
<b>hooks</b> 55:14 66:14	184:19 200:22	71:16 101:15,16	<b>indicated</b> 58:18	<b>intent</b> 57:4 98:15
66:16 67:4,5 73:9	<b>ID</b> 196:7	158:9	76:2	158:8
73:16,19 75:17,19	<b>idea</b> 13:13 21:9 26:2	<b>improve</b> 5:9 8:19	<b>individual</b> 47:22	<b>intention</b> 100:22
75:21 76:2,10,16	28:1 42:9 71:4,10	9:4 12:6 19:4 28:2	77:17,20	<b>interacted</b> 48:19
76:19,20 77:1,6,8	72:5 73:5,8,18	36:4 58:19	<b>individuals</b> 126:20	<b>interactive</b> 90:15
78:6 85:7 93:5	74:5 75:20 81:10	<b>improved</b> 11:10	170:20	<b>intercept</b> 23:3
107:11 108:5	83:13,20 100:19	66:3	<b>industry</b> 13:22	<b>interchangeably</b>
149:14 150:7,9	101:9 102:3	<b>improvement</b> 18:3	14:14 105:9,12,14	29:1
151:4 152:2 153:6	180:18 183:6	74:14	164:10 192:11	<b>interest</b> 192:10
153:7,10 154:21	<b>ideally</b> 24:1	<b>improvements</b> 8:5	<b>information</b> 2:7	<b>interested</b> 34:1 80:4
156:19 158:15	<b>ideas</b> 19:17 46:9	16:5	4:16,22 27:17	180:8
162:21 163:1	129:8 200:11	<b>improving</b> 25:22	29:18 43:1 46:20	<b>interesting</b> 87:22
165:17 169:14	<b>identification</b> 20:22	192:7,13 195:15	50:7 53:17 54:8	<b>interests</b> 173:3
170:11 177:22	<b>identified</b> 3:16 7:14	196:6	55:21 70:18,19	<b>interfere</b> 166:14
178:12 183:4	7:15 8:5 16:7 25:7	<b>inability</b> 88:3	71:8 76:1 110:5	<b>internal</b> 74:17
<b>hookup</b> 76:4	36:10 49:6 119:14	<b>inaccuracies</b> 47:1	114:10,13 121:2	<b>international</b>
<b>hoops</b> 194:9	119:21	<b>inadvertent</b> 191:15	121:16,21 122:6,7	181:14 192:6
<b>hope</b> 20:18 104:7	<b>identify</b> 3:21 14:22	<b>Inaudible</b> 48:14	122:12,19 123:17	200:18,22
117:16 161:19	21:21 119:22	49:17	131:3 138:1,2,7,12	<b>internet</b> 124:16
<b>hoped</b> 164:19	199:20	<b>inch</b> 74:17	139:13 142:8,12	192:16
<b>hopefully</b> 27:12	<b>ignored</b> 29:16	<b>inches</b> 69:14,16	143:1,14 144:10	<b>interview</b> 6:4 23:8

33:19 34:22	IUU 200:20	187:18 190:15	90:20 91:18 92:1	<b>large</b> 12:19 15:16
<b>interviews</b> 23:13		<b>keeping</b> 6:19 23:5	92:13 96:4,12	16:11,15 18:8
<b>inundated</b> 115:6,8	<b>J</b>	184:3,4,5	101:17 105:21	24:21 33:18 94:16
<b>invaluable</b> 138:5	<b>J</b> 151:6	<b>keeps</b> 96:22,22	108:11,12 109:10	113:22 150:17
<b>investigation</b> 40:16	<b>January</b> 8:21 27:20	<b>Ken</b> 132:4 133:22	111:12,18 113:14	155:11 156:11,11
<b>investment</b> 187:7	27:21 35:19 36:17	135:13,20 142:1	115:7,15 120:7,18	173:19
187:14 188:13	36:20 74:9 158:3	<b>kept</b> 184:14 186:5,8	130:17 131:2,9	<b>largely</b> 169:16
<b>invited</b> 162:5,15	160:11 197:11	186:11	132:16 134:6,8,18	<b>larger</b> 118:20
<b>inviting</b> 5:3	<b>jaw</b> 155:5	<b>key</b> 196:7	134:20 135:2,22	130:18 166:8
<b>involve</b> 94:10	<b>Jay</b> 61:22 62:14,16	<b>kick</b> 189:17	136:2,3,21 139:12	<b>lastly</b> 103:11 124:22
<b>involved</b> 13:14 28:8	63:19 90:11 91:15	<b>kicks</b> 36:6	141:1 142:21	<b>late</b> 26:16 61:5
29:14 48:2 89:12	94:22 96:20 97:9	<b>kid</b> 69:3	143:9 144:7,19	72:21 186:13
171:13	148:2 154:17,19	<b>kind</b> 9:1 21:11 28:4	145:4,15,16,21,22	<b>lately</b> 103:17
<b>involvement</b> 128:5	155:18 164:7	33:10 38:6 49:21	146:13 147:4,18	<b>latest</b> 142:8
<b>irresponsible</b> 176:1	<b>Jay's</b> 163:10	66:5 71:9 72:4	152:15 154:4	<b>latitude</b> 84:3
<b>Island</b> 67:1 84:12	<b>Jersey</b> 87:8,9	76:8 79:17 93:5	155:6,22 157:15	<b>Laughter</b> 38:1 52:7
86:4,6	<b>Jim</b> 114:3	94:19 95:14 104:4	157:19 160:7,14	59:22 108:13
<b>islet</b> 74:10,16,19	<b>job</b> 17:10 174:22	109:13 110:1	160:18,22 161:1	115:18 136:1
<b>issue</b> 23:20 25:16	<b>jobs</b> 173:2	117:12 119:2,8,17	162:2 164:8 170:9	139:19 148:8
34:16,20 35:1	<b>John</b> 37:9 39:12	120:14 131:22	171:5,19 173:18	165:4 177:3
52:16 55:16 68:20	40:7,8 43:16 45:6	139:15 141:6,16	174:8,9,13,17,22	191:17
86:11 87:6 89:2,3	45:9,16 46:21	143:8 146:10	175:3,12,18 176:1	<b>law</b> 65:11,20 109:22
89:4 92:5,18 93:4	48:10 154:10	147:2,4,5,8,16	176:11 179:22	165:15 193:18
93:20 95:20 96:6	157:10 160:7	149:19 164:22	180:18 181:7	194:1,7
98:13 104:22	169:5,16 170:7	171:1,3 173:4	183:3 184:3,4,5,12	<b>lay</b> 120:13
105:2 110:11	<b>Johnson</b> 28:14,15	177:20 180:17,19	185:8 187:1,5,12	<b>lead</b> 20:21 25:21
111:14 112:12	70:9,10 71:15	181:4,20,21 189:6	188:1,16 191:3,10	40:17
127:1 155:18	137:15	189:10 192:7,20	194:15	<b>leader</b> 151:3
158:10 160:17	<b>John's</b> 46:1	192:21 197:7	<b>knowing</b> 109:12	<b>leading</b> 192:7
163:3 172:16	<b>joint</b> 113:16	200:4 201:11	120:16	<b>leasing</b> 188:12
177:20 180:5	<b>Judith</b> 67:2	<b>kinds</b> 83:12 131:2	<b>knowledge</b> 173:11	<b>leatherback</b> 74:22
188:18 190:8	<b>July</b> 197:10	167:14	<b>knows</b> 46:7 173:6	<b>leave</b> 94:2 100:19
193:19 194:17	<b>jump</b> 116:2 194:10	<b>Kip</b> 50:17		100:21 116:6
<b>issued</b> 124:19 178:2	<b>June</b> 54:8 61:5	<b>Kiraly</b> 117:4	<b>L</b>	158:9
186:18	<b>jury</b> 49:14 185:14	<b>kites</b> 106:9	<b>Lab</b> 114:16	<b>leaving</b> 153:22
<b>issues</b> 8:13 14:22	<b>J-hooks</b> 76:5,9 92:6	<b>knew</b> 170:20	<b>lacks</b> 51:14	154:5
17:1 22:10,19	92:15 94:7,12	<b>knock</b> 139:6	<b>land</b> 64:15 96:9	<b>left</b> 45:19 93:1
23:17 25:11 29:10		<b>know</b> 16:12 19:18	<b>landed</b> 96:10	140:12,20,22
53:14 86:3,7 87:22	<b>K</b>	22:10 24:7,12	114:19 175:17	141:9 142:22
88:9,10 127:22	<b>Kavanagh</b> 62:16,16	28:21 29:19 32:11	<b>landing</b> 40:16 96:13	143:6
147:13 148:9	95:1 96:17 147:20	33:2 34:4 35:17	125:12 185:13	<b>lefthand</b> 133:11
181:18,22 185:19	148:2,3	36:18 37:2,13,14	<b>landings</b> 15:20 41:9	140:8
188:9 189:2 191:6	<b>keep</b> 6:20 28:6,7	37:16 38:6,19,22	143:15 144:18	<b>legality</b> 95:13
202:11	38:11,13 62:12	39:7 43:9 44:5	192:13 195:4	<b>legally</b> 71:13
<b>issuing</b> 188:11	67:9,11 86:15	46:5 47:4 48:3,3,4	198:10,11	<b>legitimate</b> 41:6
<b>item</b> 52:4	89:18 106:8 116:3	48:6 59:19 68:16	<b>language</b> 124:1	<b>letter</b> 79:5 101:8
<b>items</b> 113:8 141:9	160:3 161:4 167:8	69:3,5,9 70:11	<b>lapsed</b> 188:11	111:16
<b>IUCN</b> 179:4	168:3 186:4,10	78:2 85:10 87:7	<b>laptop</b> 116:6,8	<b>letters</b> 122:1 127:18

<b>let's</b> 21:5 39:6 83:2 130:7 164:9	<b>list</b> 17:20 45:17 51:9 57:20 59:4 72:10 91:12 96:22 104:3 123:1 139:12 141:15 161:4 164:1,4 179:4	147:18 196:3,5	134:15 137:9 142:7 143:1 151:10 158:14 161:11,18 163:14 179:20 182:1,5,9	45:15
<b>level</b> 3:20 8:9,10,14 14:1 47:1 48:5 166:14	<b>listed</b> 31:1	<b>longest</b> 121:8	<b>looks</b> 140:10 176:5 193:21	<b>lucky</b> 49:2
<b>levels</b> 71:4 174:15	<b>listen</b> 113:20 171:5 171:7	<b>longline</b> 52:14,14 54:21 55:6 56:5 58:11 59:2,6,6 61:19,19 62:9,9 73:5,5,17,18 84:21 85:3,5,16 92:7 94:18 105:9 107:21 109:3,16 137:22 166:11 182:14 198:19 199:14	<b>lookout</b> 200:5	<b>lunch</b> 116:20
<b>license</b> 13:12 49:4,7 126:17,19	<b>listening</b> 11:14	<b>longliners</b> 93:12 178:2	<b>loop</b> 35:10	<b>lure</b> 150:11 152:8 152:12,12 153:3
<b>licenses</b> 13:4 49:1	<b>literature</b> 42:13	<b>longlines</b> 165:18,21	<b>lose</b> 37:18,19 39:8 41:5 177:8 186:19 188:17 190:8,16 190:17	<b>lures</b> 150:17 152:15
<b>lies</b> 96:12	<b>little</b> 8:21 14:18 49:12 57:12,18 66:6,18 70:19 74:12,19,20 104:7 107:9 108:19 114:6 116:22 117:22 122:4 125:7 138:4,6 139:16 146:22 147:12,16,17 148:7 150:14 165:12 167:19 172:4 183:11 187:21	<b>look</b> 4:10 15:15 16:3,3,22 18:12 19:18,19 20:4 21:18 23:10 24:14 25:21 29:5,13 31:5 33:17 36:17 40:2 46:3,18 49:19 53:10 55:2,7 56:7 60:10 90:16 108:9 109:13 129:6 130:16 132:11 133:2 135:19 137:17 145:15 155:12 156:2,17 158:11,18,22 162:8 166:11 168:10,20 171:1,4 172:6 176:2 177:11 179:9 180:7 184:22 185:11 187:22 189:14,14	<b>looks</b> 140:10 176:5 193:21	<hr/> <b>M</b> <hr/>
<b>lieu</b> 62:8	<b>livelihood</b> 172:22	<b>longliners</b> 93:12 178:2	<b>lost</b> 89:12,13,22 170:10	<b>MAFAC</b> 13:21
<b>life</b> 168:16	<b>lively</b> 95:16,17	<b>longlines</b> 165:18,21	<b>lot</b> 8:3,4,13 13:4 14:10 26:12 29:4,4 29:7,13,20 30:9 38:9,11 39:1 41:18 41:21 42:12 45:1 46:7 67:8 81:20 82:13 84:8,9 96:1 100:1,3 101:2,20 103:7 122:16 125:6 126:19 127:1 131:18 132:21 134:3,13 139:13 141:22 142:3,12 145:11 145:16 150:2 151:14 152:1,7,11 152:11,15 159:6 172:17,18 173:11 174:3,16 178:19 178:22 181:16 186:12,15 187:21 189:3,9,11 194:9 197:20 201:11	<b>magnetic</b> 90:4
<b>light</b> 132:13 150:11 153:8,18	<b>load</b> 116:8 147:1,12	<b>longlines</b> 165:18,21	<b>losing</b> 148:15	<b>Magnuson</b> 8:17
<b>lightning-fast</b> 26:11	<b>loading</b> 4:13	<b>longlines</b> 165:18,21	<b>lost</b> 89:12,13,22 170:10	<b>Magnuson-Stevens</b> 168:3 200:14
<b>liked</b> 161:13	<b>lobster</b> 49:1	<b>longlines</b> 165:18,21	<b>lot</b> 8:3,4,13 13:4 14:10 26:12 29:4,4 29:7,13,20 30:9 38:9,11 39:1 41:18 41:21 42:12 45:1 46:7 67:8 81:20 82:13 84:8,9 96:1 100:1,3 101:2,20 103:7 122:16 125:6 126:19 127:1 131:18 132:21 134:3,13 139:13 141:22 142:3,12 145:11 145:16 150:2 151:14 152:1,7,11 152:11,15 159:6 172:17,18 173:11 174:3,16 178:19 178:22 181:16 186:12,15 187:21 189:3,9,11 194:9 197:20 201:11	<b>mail</b> 121:14 122:13 127:17 130:6
<b>likewise</b> 106:19	<b>lobsters</b> 49:4	<b>longlines</b> 165:18,21	<b>losing</b> 148:15	<b>main</b> 78:5 151:2 162:13
<b>Lilistrom</b> 25:20	<b>local</b> 151:19	<b>longlines</b> 165:18,21	<b>lost</b> 89:12,13,22 170:10	<b>Maine</b> 16:13 111:5 115:8
<b>limit</b> 57:3 67:10 69:8,22 70:4 73:4 79:10 84:8 86:12 86:14,18 102:13 183:12,14,19	<b>locator</b> 135:20 136:15 137:16	<b>longlines</b> 165:18,21	<b>losing</b> 148:15	<b>maintain</b> 149:6
<b>limited</b> 38:18 55:19 57:16 85:8,15 130:16	<b>log</b> 25:3,7 31:5,9	<b>longlines</b> 165:18,21	<b>lost</b> 89:12,13,22 170:10	<b>major</b> 51:14 53:14 111:20 151:20 161:15 171:2,13 195:19
<b>limits</b> 51:13 69:22 86:17 186:2 191:21 198:16 200:17	<b>logbook</b> 45:12 64:4	<b>longlines</b> 165:18,21	<b>losing</b> 148:15	<b>making</b> 34:17 40:17 91:19 116:5 198:9
<b>line</b> 8:21 55:12 60:19 66:17 67:6 74:18 75:7 76:20 77:2,4,7 78:5,5 82:7 84:3,4,11,12 95:6,10 98:1 107:17 108:4 123:3 124:19 138:17 151:2	<b>logbooks</b> 56:2 70:20 71:8	<b>longlines</b> 165:18,21	<b>lost</b> 89:12,13,22 170:10	<b>man</b> 176:3
<b>lines</b> 76:16 77:21 122:3 174:6	<b>logical</b> 125:21	<b>longlines</b> 165:18,21	<b>losing</b> 148:15	<b>manage</b> 7:2 55:22
<b>link</b> 125:3 135:21 136:3,8 143:13,20 144:9 146:2	<b>long</b> 21:4 44:4 60:2 60:4,5,8,10 66:17 108:5 114:7 134:21 136:6 149:21 164:4 177:18 202:11	<b>longlines</b> 165:18,21	<b>lost</b> 89:12,13,22 170:10	<b>managed</b> 200:18
<b>links</b> 124:18 125:1 132:17 142:5	<b>longer</b> 125:20	<b>longlines</b> 165:18,21	<b>losing</b> 148:15	<b>management</b> 2:19 4:21 6:13 7:6,6,7 7:10 14:12 15:4,5 29:5 54:4 68:4,8 120:22 121:5 127:10 128:18 129:11 176:8 200:8
<b>Lisa</b> 28:13 29:22 32:19,21 145:12		<b>longlines</b> 165:18,21	<b>lost</b> 89:12,13,22 170:10	<b>managing</b> 168:7

<b>map</b> 125:21	<b>McGowan's</b> 46:19	128:6,14 129:1	<b>millions</b> 3:12	160:2,13 177:19
<b>mapped</b> 125:11	<b>McLaughlin</b> 52:2	134:22 135:5,7	<b>mind</b> 6:19,20 22:2	181:20 184:1
<b>March</b> 35:20 36:17	56:19 68:22 79:5	143:19 171:21	69:1 72:3 107:8	187:9
52:20 54:6 119:6	80:20 96:15	172:1	160:3 167:8 168:4	<b>morning</b> 5:3 23:16
127:1 129:12	<b>mean</b> 33:10 41:1	<b>meets</b> 110:6 174:21	177:2	51:15,22 72:21
<b>Margo</b> 5:3 77:12	65:3 75:8 88:12	<b>member</b> 47:21	<b>mindedness</b> 158:22	116:18 146:21
78:20 155:10	102:16 131:17	<b>members</b> 38:5 40:1	<b>mine</b> 101:2 153:11	181:12 199:4
161:8 164:14	133:11,13 136:2	47:19 174:11	<b>minimum</b> 13:7 27:9	200:9
171:19 180:14	140:16 143:13	<b>membership</b> 29:13	94:11 192:1	<b>mortality</b> 58:20
<b>marina</b> 33:8	144:18 146:11	<b>mention</b> 85:12 99:3	<b>minor</b> 46:21	84:10 95:19
<b>marine</b> 1:5 2:7 4:16	156:18 158:11,19	<b>mentioned</b> 9:6 11:1	<b>minute</b> 100:1	151:12 153:5
30:2 33:4 54:3,10	161:17 164:8	20:1 25:16 26:20	134:12 147:1	<b>motion</b> 60:13
63:22 68:6 161:10	171:17 175:2	33:16 39:14 40:15	<b>minutes</b> 51:12	<b>motivation</b> 50:9
162:6 168:16	184:2 185:7	89:9 97:4 104:21	199:8	<b>mouth</b> 152:20 153:1
172:15 177:12	187:21 195:22	110:21 193:7	<b>MIRP</b> 50:4,8	155:4
179:6 194:2,6	202:18	<b>Merritt</b> 68:3,4	<b>missed</b> 135:17	<b>move</b> 7:13 74:10
197:8,14 200:10	<b>meaning</b> 152:9	166:22 167:1	169:10 183:2	130:7 184:9
<b>Mark</b> 91:15 94:22	<b>meaningful</b> 157:4	<b>met</b> 15:7,12	<b>missing</b> 21:22 23:4	196:19 198:14
96:20 97:2	<b>means</b> 6:12 49:9	<b>metal</b> 60:2	36:18 38:7	<b>moved</b> 164:18
<b>marked</b> 183:8	88:6 109:17	<b>method</b> 63:4,8	<b>misspoke</b> 104:8	<b>movement</b> 3:17
<b>market</b> 149:8	<b>meant</b> 102:17	67:17 89:13,14	<b>mistake</b> 142:3	<b>moving</b> 25:15 26:11
166:15	186:18	149:21	<b>misunderstood</b>	116:4,19 127:4,6
<b>marketing</b> 192:7,12	<b>measurements</b>	<b>methodologies</b> 12:9	77:12	139:1 161:5
<b>marlin</b> 22:1,4 88:17	166:1	<b>methodology</b> 18:7	<b>mix</b> 160:15	192:19 195:16
150:13 152:16	<b>measures</b> 180:1	25:7 41:11 198:21	<b>model</b> 145:8	202:19
153:4,17 156:11	181:11	<b>methods</b> 66:12	<b>modes</b> 6:2	<b>MRFS</b> 7:9 15:22
156:12 157:10	<b>mechanism</b> 107:21	67:19 90:1	<b>modifications</b> 46:21	16:20 35:13 36:5,9
169:18 170:5,10	<b>mechanisms</b> 105:6	<b>metric</b> 175:12 177:9	47:9 105:17	37:5 50:3
<b>marlins</b> 169:20	<b>media</b> 122:16	<b>Mexico</b> 20:2 155:15	<b>modified</b> 157:16	<b>MSRA</b> 192:5
<b>Marshfield</b> 86:5	126:14,14,14	159:10 199:5	<b>modifying</b> 181:2	<b>muddled</b> 96:18
<b>Martha's</b> 88:16	129:20,22	<b>mid</b> 113:15 192:16	<b>moment</b> 116:14	<b>multitude</b> 5:15
<b>Maryland</b> 1:22	<b>medium</b> 66:4	<b>middle</b> 23:15	163:11 202:9	<b>mutually</b> 22:17
15:19 18:16 30:18	102:13	<b>mid-sentence</b> 3:4	<b>monetary</b> 186:16,16	
97:3	<b>meet</b> 13:9 26:7 27:1	<b>migration</b> 3:22	<b>money</b> 9:13,21 10:4	N
<b>Massachusetts</b> 52:3	<b>meeting</b> 1:8 15:12	<b>migratories</b> 14:13	118:16 155:11	<b>naked</b> 150:6 153:8
66:21 84:11	17:14 30:4 41:15	<b>migratory</b> 1:13 14:9	157:3,5 159:6	153:18 156:3
103:17	53:2 54:6 64:1	14:9 16:1 17:6,10	168:18,19,21	<b>name</b> 51:22 85:12
<b>match</b> 23:19	70:17 135:10	55:11 132:9,12,18	175:22 186:19	116:20 134:20
<b>mate</b> 183:20	147:8,21 148:5	133:3,17,18	<b>monitor</b> 55:17	136:22 171:11
<b>materials</b> 107:2	155:22 157:18	139:15 140:7,17	191:22	<b>names</b> 118:13
<b>math</b> 175:11	161:18 169:7	148:19	<b>monitoring</b> 34:19	137:18 171:12
<b>matter</b> 37:21 41:17	170:2,17 175:7	<b>mile</b> 107:17	<b>Monopoly</b> 93:8	<b>napkin</b> 47:6,7
66:1 69:12 102:22	180:21 181:1	<b>miles</b> 108:5 190:11	<b>MONTELLA</b> 107:8	<b>nation</b> 168:8
162:22 168:20	199:1 201:2	<b>million</b> 5:21 9:17,19	<b>month</b> 49:15 182:18	<b>national</b> 1:3,5 8:14
174:4 177:7	<b>meetings</b> 50:18	103:8 114:17,18	186:8 192:17	9:6 11:2 13:8
<b>maximum</b> 50:20	53:17 54:8 70:18	175:9,15,16	201:6,7	26:16 27:6 29:11
88:7 183:15 199:2	76:2 87:20 116:13	176:19 188:4	<b>months</b> 35:15,19	30:1 33:4 54:9
<b>McGowan</b> 20:20	123:10 124:15	190:10	111:4 115:3 147:7	63:21 161:10

162:6 172:15 177:12 179:5 194:2,6 200:19 <b>nations</b> 54:15 <b>nationwide</b> 17:9 <b>natural</b> 150:10 <b>nature</b> 14:12 115:9 <b>nautical</b> 190:11 <b>navigate</b> 125:5,18 131:1 132:20 133:20 <b>navigating</b> 134:10 <b>navigation</b> 140:20 <b>NEA</b> 189:16 <b>necessarily</b> 8:2 44:21 72:6 79:14 200:1,6 <b>necklaces</b> 115:16 <b>need</b> 7:2,6 9:11,13 10:2,3,4 13:7 16:18 17:5,12 19:18,19 20:21,22 27:10,17 43:1,2 44:10,16,20 45:2 46:17,18,20 47:13 50:5 75:10 84:2 86:2 88:4 92:12,13 100:8 108:9,10 109:15 112:13,13 121:7,8,13 122:9 123:11,12,13,22 125:4 126:7,22 127:12,19 128:10 128:10,17 129:9 129:10 134:17 149:22 156:10 160:5 162:20 163:13 164:1,21 167:7 168:20 173:4 177:20 187:3,5 189:13 193:11 196:19 198:13 199:1 <b>needed</b> 7:4 43:13 50:6 55:21 59:4 <b>needless</b> 36:1 <b>needs</b> 6:13 7:7,10 15:5 50:10 63:18	84:10 87:2 93:21 119:11,13,16,21 120:14,16,18 173:22 174:12 <b>negotiated</b> 198:6 <b>neighbors</b> 85:20 <b>Nelson</b> 91:17 <b>net</b> 95:11 114:5 <b>neutrally</b> 74:18 <b>never</b> 72:3 137:10 138:16 177:2 186:17 197:16 <b>new</b> 5:4,9 6:11 9:20 12:8,16 20:6 35:17 36:1,2,6,8,18,19 47:19 71:20 85:22 87:5,8,9,13 88:13 89:15 104:12 105:1 106:5 113:15 114:20,22 120:7 124:20 137:22 138:1 139:4 146:19 180:16 188:11 197:16 200:4 <b>news</b> 121:20 122:18 123:1,4,8 125:3 129:18 133:8 134:14 141:6,12 141:14,17 142:9 142:17 143:4,18 159:13 <b>newspaper</b> 177:9 <b>NGOs</b> 127:20 129:14 173:3 <b>nice</b> 8:21 40:9 75:3 88:19 93:15 144:7 185:4 <b>night</b> 6:4 21:13 23:9 23:15 35:8 36:3 37:7 38:3,16,17 42:20 46:13 185:19 197:21 <b>nine</b> 140:11 <b>Ninja</b> 59:12,18 60:4 60:10 75:1 <b>Ninjas</b> 71:21 <b>nitty</b> 12:1	<b>NMFS</b> 53:20 54:4 54:22 56:1 65:18 66:9 73:4,10 101:8 104:14 105:3,4,12 112:13 114:15 128:15 130:18 131:7,16 134:4,7 134:19 135:6 136:13 145:20 162:15 167:11 169:13,15 <b>nmfs.noaa.gov</b> 130:22 145:6 <b>nmfs.permits.gov</b> 145:14 <b>NOAA</b> 13:20 14:10 118:4 126:4 135:19 136:7,13 136:15,20 173:19 <b>noaa.gov</b> 136:20 <b>nobody's</b> 175:2 <b>non</b> 54:16 195:9 <b>nonelectric</b> 96:11 <b>nonissue</b> 95:15 <b>nonregulatory</b> 192:8 <b>nontournament</b> 19:14 <b>non-charter</b> 65:22 <b>non-for</b> 58:5,6 <b>non-for-hire</b> 80:21 <b>non-use</b> 170:11 <b>non-work</b> 40:1 <b>normally</b> 110:15 113:22 <b>north</b> 15:19 20:3 30:17 54:2 62:17 63:13 66:19,22 67:13,20 68:6 87:11 95:2 96:8 114:4,15 148:3,12 149:15,19 150:12 150:19 151:15 153:14 154:14 155:16 156:15 159:10 161:12 162:5,9 163:4 167:22 178:21	186:5 <b>northeast</b> 27:3 95:13 134:20 <b>notation</b> 78:10 <b>notches</b> 7:20 <b>note</b> 195:14,18 197:13 <b>notes</b> 181:2 183:1 <b>notice</b> 196:2 <b>notices</b> 134:13 135:5 141:15 <b>notified</b> 172:1 <b>notion</b> 87:4 <b>not-for-hire</b> 61:15 <b>November</b> 50:13 201:8,9 <b>NRC</b> 8:1,12,16 16:3 24:13 36:11 <b>number</b> 31:8 45:11 50:19,19 67:9 85:7 86:3 88:7 94:12,12 94:16 100:14 164:6 167:10 172:7 189:18 <b>numbers</b> 4:11 33:7 122:14 151:10 184:7,10,20,22 198:22 <b>numchucks</b> 59:20 60:1	<b>ocean</b> 18:16 97:3 178:15 188:6 <b>OCEANIC</b> 1:3 <b>October</b> 1:18 26:5 39:15 201:11 202:14,16 <b>offer</b> 62:7 187:11 <b>office</b> 4:14 8:6 114:16 118:3 122:17 126:3 192:6 200:22 <b>offices</b> 127:5 <b>official</b> 43:5,11 <b>Offshore</b> 151:17 <b>oh</b> 52:6 77:11 <b>okay</b> 4:7 13:13 28:12 36:7 41:1 51:7,18 72:8 76:13 78:1 91:15 97:11 99:15 129:9 131:13 132:3 133:10,21 135:14 139:4 143:11 144:3 145:3 146:12 166:21 180:15 <b>old</b> 7:10 139:5,5,8 194:19 <b>once</b> 14:20 27:13 102:12 106:20 118:6 121:9 133:4 137:11 187:18 198:10 <b>ones</b> 26:9 113:22 114:2,6 140:14 176:6,7,13 190:1 <b>one-time</b> 187:17 <b>ongoing</b> 120:8 126:3 <b>online</b> 123:16 124:21 129:14 <b>on-board</b> 58:12 <b>on-line</b> 124:17 <b>open</b> 2:16 28:10 61:20 83:11 117:19 147:16 151:17 158:22 180:12,13
--	---	---	--	--

<b>opener</b> 148:6	<b>outreach</b> 2:14 116:2 117:1,11 118:1,4 118:12,21 119:11 119:20 120:4,9,12 122:16 123:14 124:8 192:16 195:21 201:10,16 201:20,22	<b>paid</b> 173:1 175:20	201:15,18	154:10,18,18 158:21
<b>opening</b> 103:16 126:15 149:13	<b>outrigger</b> 77:17,21 95:6 97:12	<b>pain</b> 109:10	<b>participants</b> 151:22	<b>pelagic</b> 12:19 15:17 16:11 18:8 24:21 33:18 52:13 54:21 58:11 59:1,5 61:18 62:9 73:5 87:14 92:6 94:18 105:9 137:21 182:14 198:19
<b>operates</b> 60:16	<b>outside</b> 173:3	<b>pan</b> 130:2	<b>participate</b> 85:18 159:11 162:16 198:7	<b>participates</b> 154:7
<b>operating</b> 11:20 98:6,7 112:22 113:1	<b>out-fish</b> 156:2	<b>panel</b> 1:13 14:16 52:19 53:2 116:13 139:10 140:20 147:10 155:22 169:7,12 174:10	<b>participating</b> 74:2	<b>participation</b> 127:9 128:13 152:4
<b>operational</b> 40:5	<b>overall</b> 75:8 184:6	<b>panels</b> 135:6	<b>participation</b> 127:9 128:13 152:4	<b>PARTICIPANT</b> 39:13
<b>operationally</b> 80:2	<b>overboard</b> 103:22	<b>panel's</b> 139:11	<b>particular</b> 16:8 48:2 61:6,10,15 76:18 86:5 90:19 109:10 132:16 134:16 142:5 166:16 171:8 195:6	<b>participants</b> 151:22
<b>operations</b> 10:12 11:3,21 14:2 15:13 16:4,8 17:19 26:6 26:6	<b>overfished</b> 54:17	<b>paperwork</b> 173:9 174:3,6	<b>particularly</b> 22:3 29:6 35:15 42:15 61:12 74:21 86:4 160:12 183:16 200:12,18	<b>people</b> 3:5 6:3 10:3 10:4,5,14 13:14 14:3,13,20 16:16 23:4,5 29:14 33:6 33:8,9 35:22 38:11 49:21 74:6 80:4 82:15 89:11 90:3 90:10 92:10,13,14 92:16 93:2,11,15 100:1 101:22 102:3,6 103:17 107:9 108:22 109:11 110:9,13 131:17 132:22 135:16,20 137:3,7 137:7,9,16,18 141:9,22 142:19 144:19 145:18 147:18 152:11,15 158:5 160:14 161:1,4 166:20 167:12 173:1 174:9 176:22 177:15 184:12,16 185:6 186:15 187:13 188:12,20
<b>operator</b> 154:2	<b>overlap</b> 22:10,17 34:3 126:19	<b>parallel</b> 73:11 156:21	<b>party</b> 124:6 126:16	<b>part-time</b> 152:1
<b>operators</b> 154:1	<b>overlapping</b> 33:3,11	<b>part</b> 6:10 10:6 12:10 14:17 16:6 18:10,22 26:20,21 33:2 39:8 72:11 122:20 155:4 167:12 168:7	<b>part-time</b> 152:1	<b>pass</b> 32:21 171:16
<b>opinion</b> 58:11 59:1 83:9 174:19	<b>overnight</b> 23:16 27:19 158:12	<b>partially</b> 38:4	<b>party</b> 124:6 126:16	<b>passed</b> 177:18
<b>opinions</b> 61:7	<b>oversight</b> 10:21	<b>participant</b> 4:6 28:12 29:22 31:21 32:19 35:4 37:8 39:11 40:6 43:16 45:6,8 46:1,12 47:16 48:8,9,14,15 49:17,18 50:11 51:7 61:21 62:14 63:19 64:6 67:22 70:5 72:18 75:12 81:4 84:15 131:21 132:3 133:22 135:13,15,19 136:15,19,21 137:2,14 138:19 139:20 140:16,19 141:20 142:1 143:21 144:2,3,13 145:12 146:5 147:22 154:3,17 157:6 161:3 163:7 165:2,21 166:19 169:3 172:11 177:14 178:13 180:11 183:22 186:3 190:3	<b>part-time</b> 152:1	<b>passenger</b> 183:13 183:17
<b>opportunities</b> 39:22 57:10 123:9 185:12	<b>overview</b> 10:19 117:13,15 118:20 119:4 120:12 128:11	<b>participate</b> 85:18 159:11 162:16 198:7	<b>part-time</b> 152:1	<b>passengers</b> 183:15
<b>opportunity</b> 53:10 65:2,4,12 69:17 72:14 88:5,5 93:19 102:22 129:2 130:9 187:14	<b>overwhelming</b> 6:9 70:22 185:17	<b>particular</b> 16:8 48:2 61:6,10,15 76:18 86:5 90:19 109:10 132:16 134:16 142:5 166:16 171:8 195:6	<b>part-time</b> 152:1	<b>Pat</b> 32:20,22 35:4,5 68:2 70:7 72:19 75:13,14 81:4 89:11 113:11,13 115:19
<b>opposed</b> 76:19 155:14 162:21 198:17	<b>overwhelmingly</b> 169:12	<b>parties</b> 128:3	<b>part-time</b> 152:1	<b>pass</b> 32:21 171:16
<b>opposition</b> 154:11	<b>owner</b> 159:2	<b>partners</b> 8:7 28:8	<b>part-time</b> 152:1	<b>passed</b> 177:18
<b>option</b> 62:2 104:19 190:14,19 192:8 200:1	<b>owners</b> 121:11 127:20	<b>parts</b> 138:8	<b>part-time</b> 152:1	<b>passenger</b> 183:13 183:17
<b>options</b> 25:2 179:8	<b>pace</b> 26:11	<b>party</b> 124:6 126:16	<b>part-time</b> 152:1	<b>passengers</b> 183:15
<b>order</b> 69:12 92:11 94:13 106:6	<b>Pacific</b> 5:17 71:14 186:7 190:14	<b>party</b> 124:6 126:16	<b>part-time</b> 152:1	<b>Pat</b> 32:20,22 35:4,5 68:2 70:7 72:19 75:13,14 81:4 89:11 113:11,13 115:19
<b>organization</b> 64:8 101:6,8 111:13	<b>page</b> 125:17,18 131:16 132:6,8 133:4,5,9,16,18 134:2 136:6,7,13 136:14,17 139:11 139:17 140:7,9,10 140:17 142:20 145:5 177:7	<b>part-time</b> 152:1	<b>part-time</b> 152:1	<b>pass</b> 32:21 171:16
<b>organizations</b> 149:4 149:5	<b>pages</b> 125:12 131:6 131:8 136:9 140:5 140:13 141:17	<b>part-time</b> 152:1	<b>part-time</b> 152:1	<b>passed</b> 177:18
<b>original</b> 178:1		<b>part-time</b> 152:1	<b>part-time</b> 152:1	<b>passenger</b> 183:13 183:17
<b>originally</b> 47:10,11 178:1		<b>part-time</b> 152:1	<b>part-time</b> 152:1	<b>passengers</b> 183:15
<b>ought</b> 30:22 85:22 86:10 89:4		<b>part-time</b> 152:1	<b>part-time</b> 152:1	<b>Pat</b> 32:20,22 35:4,5 68:2 70:7 72:19 75:13,14 81:4 89:11 113:11,13 115:19
<b>ounce</b> 175:13		<b>part-time</b> 152:1	<b>part-time</b> 152:1	<b>pass</b> 32:21 171:16
<b>outlined</b> 52:20		<b>part-time</b> 152:1	<b>part-time</b> 152:1	<b>passed</b> 177:18
<b>outlook</b> 176:2,5		<b>part-time</b> 152:1	<b>part-time</b> 152:1	<b>passenger</b> 183:13 183:17

118:10 121:3 122:10 123:2 126:8 127:7 145:19,21 181:14 181:21 185:22 186:4,11,11,20,20 187:8,17 188:2,9 188:12,14,17 189:3,5,10 190:13 190:22 199:21 <b>permits</b> 38:12 74:4 102:1 104:16,17 109:1,14 124:19 126:13,21 141:13 141:18 142:11 178:1 185:20 186:17 188:5,11 191:10,12 <b>permitting</b> 188:14 <b>Perpendicular</b> 163:16 <b>person</b> 78:22 83:13 110:11 134:10,16 174:19 183:13,19 <b>personal</b> 135:11 <b>personally</b> 86:8 167:10 184:13 186:4 <b>person's</b> 136:22 <b>perspective</b> 125:22 126:1 <b>pertain</b> 143:5 <b>Peter</b> 63:20 64:7 68:1 69:15,19 76:14 79:8,21 87:20 89:9 94:22 96:21 100:10,12 104:2 <b>petered</b> 66:6 <b>Petersburg</b> 52:1 <b>PETERSON</b> 144:5 <b>phenomenon</b> 106:3 <b>phone</b> 12:13 33:20 33:21 34:5,6 43:4 43:6,14 127:2 132:21 <b>phonetic</b> 25:20 55:8 75:7	<b>phrased</b> 79:13 <b>physical</b> 89:22 <b>pick</b> 39:4 <b>picked</b> 35:22 36:2 45:15 <b>picky</b> 138:7 <b>picture</b> 59:18 60:18 60:18 82:5 <b>pictures</b> 59:15,16 155:2 <b>piece</b> 60:4 88:12 112:10 140:2 <b>pieces</b> 60:1,9 <b>pilot</b> 9:19 20:8 21:7 21:21 27:15 <b>pingers</b> 183:7 <b>pipe</b> 60:5 <b>pipeline</b> 181:8 <b>place</b> 20:9 23:11 27:2 41:16 65:20 66:9 76:7 104:13 105:11 143:4 144:17 148:17 169:22 170:10 190:15 <b>places</b> 32:14 <b>plain</b> 123:22 194:19 <b>plan</b> 2:14 53:1,3 73:7 116:2 117:2 117:11,11,15 118:1,2,22 119:13 119:19 120:5,7,12 123:18 124:9 157:16 176:11,12 176:13 179:8 180:2,3 195:21 <b>planned</b> 53:4 <b>planning</b> 47:11 117:14 118:22 119:2,17 159:4 182:16 <b>plans</b> 17:17,18 118:18 197:17 <b>plate</b> 175:14 <b>play</b> 137:6,6 197:11 <b>played</b> 186:10 <b>playing</b> 93:8 <b>please</b> 48:3 130:3	147:17 158:17 167:16 183:2 <b>pleasure</b> 89:1 <b>plenty</b> 81:19 159:9 <b>PLL</b> 94:7 196:4 <b>plus</b> 169:19 <b>point</b> 8:22 17:17 22:18 25:12 36:8 42:7 43:8 46:2 59:10 67:1 78:12 86:22 87:21 90:2 91:8 94:6 101:13 106:2 114:17 129:5 137:2 139:9 147:15 157:19 164:19 171:5 183:3 201:12 <b>points</b> 11:16 95:2 100:14 101:14 104:7 126:12 162:2 190:4 <b>pole</b> 100:5 176:3 <b>political</b> 167:13 <b>ponytail</b> 50:17 <b>pool</b> 187:11 <b>popular</b> 104:11 <b>population</b> 3:11,18 3:20 12:15 13:1 <b>porbeagle</b> 195:5,13 <b>porbeagles</b> 196:13 <b>port</b> 122:4,7 138:8 138:17 <b>portion</b> 20:12 175:13 <b>Portland</b> 138:11 <b>position</b> 89:6 <b>positioned</b> 116:1 <b>positive</b> 56:12 62:13 112:1 <b>possession</b> 58:12 <b>possibility</b> 25:4 93:17 94:10 102:10 103:2 <b>possible</b> 3:15 44:14 57:13 93:15 121:19 183:9 198:8 <b>possibly</b> 12:6 35:20	65:13 68:18 113:21 149:5 193:5 <b>post</b> 124:16 171:21 <b>postcards</b> 123:2 <b>postponed</b> 159:1 172:8 <b>postponement</b> 170:3,9 <b>postponing</b> 169:13 171:15 <b>post-release</b> 58:19 95:19 151:12 157:9 <b>potential</b> 8:4,5 12:5 16:2 24:15 31:5 36:16,22 48:18 58:1 92:16 127:18 128:18 197:22 <b>potentially</b> 22:15 24:21 56:11 94:10 109:20 129:4 <b>pound</b> 51:2 74:21 95:10 106:10,11 112:2 151:2,2 <b>pounds</b> 65:10 114:6 114:18,19,21 <b>poured</b> 117:6 <b>power</b> 98:12,16 <b>practical</b> 86:16 <b>practitioner</b> 88:21 <b>precise</b> 6:22 <b>precision</b> 16:22 40:19 <b>preclude</b> 57:17 <b>predicate</b> 193:10 <b>predraft</b> 201:5 202:15,16 <b>Pres</b> 10:11 11:4 <b>present</b> 35:14 56:17 66:6 117:8 <b>presentation</b> 2:9 4:15,20 40:9 51:18 52:6,9 117:2 125:9 127:15 146:20 147:13 180:17 200:9 202:1 <b>presentations</b>	202:10 <b>presented</b> 55:10 70:16 <b>presenting</b> 52:2 <b>presently</b> 36:5 <b>preserve</b> 148:21 <b>pressure</b> 18:14,14 18:17,19 <b>pretty</b> 34:14 44:12 70:21 72:1 73:20 90:7 91:22 92:22 93:2 104:18 114:15 133:5,8 135:20 148:13 161:17 179:19 197:16 <b>prevent</b> 167:20 <b>previous</b> 129:17 <b>previously</b> 77:14 <b>primarily</b> 33:22 50:9 54:18 95:21 126:17 <b>primary</b> 70:22 85:4 <b>print</b> 199:21 <b>prior</b> 53:11 57:13 126:15 <b>prioritization</b> 118:12 <b>prioritize</b> 36:14 37:3 <b>priority</b> 7:16,19 8:9 16:7,17 119:22 <b>private</b> 6:2 20:16 22:3,14 23:6,6 25:18 35:9 36:22 38:17,17 40:15 42:20 164:10 <b>proactive</b> 148:20 <b>probably</b> 22:20 23:12 30:21 37:21 46:6 48:20 50:8 72:5 73:3 77:13 78:22 91:18 92:9 104:15 105:12 110:16 123:20 126:19,20 134:9 143:16 146:3 173:14,20 174:17
--	---	--	--	---

175:6,8 177:8 193:6 196:9 <b>problem</b> 25:12 63:9 66:5,19 67:20 92:16 99:17 111:18 112:15 132:7 134:14 149:10 153:21 <b>problematic</b> 154:4 <b>problems</b> 15:2 30:8 133:9 134:7 135:11 142:19 188:20 <b>procedures</b> 23:19 <b>proceed</b> 53:1 150:8 200:19 <b>process</b> 9:1,10 11:8 11:16 14:20 18:5 26:3 28:5,9 35:14 48:6 80:8 117:14 118:20 127:13 151:8 158:20 180:1 200:21 <b>processes</b> 115:5,10 174:7 <b>produce</b> 11:10 43:9 <b>producing</b> 184:7 188:6 <b>product</b> 27:20 42:3 42:11 166:16 <b>production</b> 106:15 184:2 <b>productive</b> 76:4 <b>professionals</b> 137:7 <b>profitability</b> 192:12 <b>program</b> 2:7 4:16 5:9 6:11,16 11:11 27:18 31:6,19 36:6 36:8 200:10 <b>programs</b> 5:16 7:12 8:20 12:4,5,6 15:3 15:16,18 16:2,10 16:21 17:6 29:18 30:13,15,19,22,22 31:10 32:16 33:16 <b>progress</b> 159:19 <b>progressed</b> 129:14 <b>prohibit</b> 196:14	<b>prohibitive</b> 122:14 <b>project</b> 17:17 19:10 19:22 20:5,15,20 21:17,21 39:14 47:22 48:12 157:13 159:7 162:17 <b>projects</b> 9:20 18:1,5 18:6 22:19 26:4 27:13 47:22 48:3 <b>promise</b> 9:19 <b>proponent</b> 91:19 153:14 154:21 <b>proponents</b> 156:18 <b>proportion</b> 19:20 24:4,5 <b>proportional</b> 24:11 <b>proposal</b> 61:17 64:2 81:11,12 <b>proposals</b> 26:5,8 39:14,17,18,19 40:4 46:4 <b>proposed</b> 26:15 53:4,5,8,12 54:11 55:1 60:19,20 61:1 64:9 90:17 108:2 181:9 182:2 202:20 <b>proposing</b> 17:18 46:19 <b>prospect</b> 54:14 <b>protected</b> 141:12 <b>protecting</b> 68:9 <b>protection</b> 33:3,10 179:11 <b>protections</b> 33:15 <b>protocols</b> 105:7 <b>provide</b> 27:9 44:10 49:9 57:4,6 62:11 126:11 128:19 162:19 179:10 <b>provided</b> 58:22 <b>providing</b> 7:2 15:4 62:3 122:7 196:20 <b>Provincetown</b> 86:6 <b>provision</b> 198:5 <b>public</b> 23:9 53:17 53:22 54:8 60:22	60:22 70:17 76:1,1 86:3 89:8 118:5 120:21 121:1 122:17 124:15 128:6,13,14 129:1 156:5 157:5 182:17 187:11 197:21 <b>publication</b> 182:6 <b>published</b> 60:21 <b>Puerto</b> 21:20,22 25:17,21 26:1 44:1 <b>pull</b> 19:14 33:7,8 71:21 114:5 131:13 180:22 <b>pulled</b> 35:10 38:20 71:20 146:3 155:14,15 <b>pulling</b> 155:1 <b>pulpit</b> 83:14 103:9 <b>punting</b> 164:8 <b>purchase</b> 149:5 <b>purchased</b> 106:15 154:22 <b>purpose</b> 102:11 123:8 <b>purposes</b> 33:17 34:8 34:19 79:9 166:17 <b>pursue</b> 42:1 80:5 192:10 <b>pursuing</b> 62:20 70:2 <b>push</b> 111:14 126:3 <b>pushing</b> 83:6 <b>put</b> 3:7 42:5 60:7 66:8 67:3 86:19 91:22 92:19 98:4 98:20 100:5 107:17 112:10 139:17 143:21 168:5,6 169:22 173:9 174:4 175:13,14 179:4 186:16 187:10 <b>putting</b> 42:2 51:4 182:16 183:7 <b>PVC</b> 60:4,9 <b>PYLE</b> 177:17 <b>P-R-O-C-E-E-D-...</b>	3:1 <b>p.m</b> 23:11,12 <hr/> <b>Q</b> <hr/> <b>quarter</b> 74:16 <b>question</b> 35:7 39:14 68:11,15,21 70:6 70:14 76:14 105:18 106:14 110:14 112:16 197:12 <b>questionable</b> 160:9 <b>questions</b> 15:1,2,9 20:11,18 26:19 28:11 34:5 43:4 61:7,8 75:15 128:19 130:8,15 139:21 140:4 145:17 146:1,6,8 173:11 178:19 201:21 <b>queue</b> 90:10 166:20 <b>quick</b> 39:13 96:5 113:11 117:13,18 118:19 119:4 128:10 140:3 141:10 190:3 193:16 <b>quickly</b> 45:8 95:16 116:4 120:14 128:8 164:18 170:13 180:6 195:16 <b>quite</b> 3:15 53:22 55:9 75:22 103:4 103:10 136:10 164:9 178:10 184:13 <b>quota</b> 33:11 37:18 37:19 39:8 41:5 54:13,14 57:11 62:21 81:17,19,20 82:3,6 88:8 114:18 114:19,21,22 186:14 197:6 198:9 <b>quotas</b> 88:3 114:14 196:11 198:10	<b>quote</b> 103:19 <b>Q&amp;A</b> 145:14,20,22 146:8 <hr/> <b>R</b> <hr/> <b>R</b> 91:17 <b>radically</b> 151:16 <b>Railroad</b> 93:10 <b>raise</b> 46:6 87:19 92:5,9 93:3 147:14 <b>raised</b> 7:20 8:9 178:19 <b>raises</b> 87:22 <b>random</b> 18:10,18 18:22 <b>Randy</b> 51:22 61:21 94:21 96:7 107:5 115:20 116:5 117:4 127:14 151:7 161:5,7 163:7 <b>range</b> 87:17 107:1 166:1,9 <b>ranged</b> 50:21 <b>rarely</b> 137:11 <b>rate</b> 95:19 150:18 152:10 <b>rates</b> 33:21 54:19 187:10 <b>ratio</b> 193:5 194:16 <b>rationale</b> 54:9 68:17 124:10 171:14 173:17 <b>RBS</b> 19:7 43:21 <b>reach</b> 74:13 122:15 127:2 <b>reaching</b> 120:2 <b>reaction</b> 88:17 <b>read</b> 75:16 138:8 141:9,10 <b>Reading</b> 93:9 <b>ready</b> 51:19 116:2,7 158:17 176:18 <b>reaffirm</b> 64:3 <b>real</b> 20:21 96:10 120:13 128:8 141:10 142:4 149:9 160:15,15
---	--	--	---	--

166:12	171:12	<b>recreational</b> 184:7	<b>regulations</b> 58:10	<b>renewing</b> 188:10
<b>realistically</b> 18:1	<b>recap</b> 147:2	<b>recreational-size</b>	72:9 79:12 92:22	<b>Reopening</b> 189:1
<b>reality</b> 185:5	<b>receipts</b> 124:18	69:11	120:22 124:1	<b>reorg</b> 126:4
<b>realize</b> 40:19 42:1	<b>received</b> 54:5,6	<b>recruited</b> 10:7	141:6,13,18	<b>reorganization</b>
43:22 47:4 92:14	56:20	<b>red</b> 179:4	142:17 143:5,18	125:20
99:17	<b>receiving</b> 123:17	<b>redesign</b> 4:22 6:15	179:21 188:15	<b>repair</b> 50:3
<b>really</b> 6:8,21 7:3,5	<b>reception</b> 88:19	<b>reduce</b> 32:16 90:14	<b>regulatory</b> 57:6	<b>repeat</b> 64:1 167:4
7:18 9:1,14 10:14	<b>recipes</b> 115:13	192:2 198:20	121:16 123:19	<b>repeated</b> 192:21
11:14 13:2 14:21	<b>recognize</b> 22:16	<b>reduced</b> 87:1	160:3 192:14	<b>repetitious</b> 172:18
17:2 21:10 23:2,21	117:3 131:19	<b>reducing</b> 199:1	<b>reinvent</b> 29:3	<b>repetitive</b> 68:12
27:3,16 30:7 41:22	136:6	<b>reduction</b> 137:22	<b>reiterate</b> 127:7	<b>report</b> 8:1 33:5 56:6
42:8 43:12 49:15	<b>recognizes</b> 167:7	141:12	153:7	78:14,15 201:1
53:16 66:22 67:11	<b>recommend</b> 86:1	<b>reel</b> 64:13,18 95:3	<b>related</b> 55:17 61:8	<b>reported</b> 40:22 41:3
67:18 72:5 80:1	141:21 168:11	95:10 96:13	61:11,12,17 76:7,7	41:10 43:20 63:11
82:14,18 86:2 95:5	194:8	<b>reels</b> 97:9	94:6,9,19 98:13	93:22
95:7,20 101:14	<b>recommendation</b>	<b>refer</b> 60:3 150:11	106:13 191:10	<b>reporting</b> 15:20
102:11 104:22,22	36:11 44:6 54:16	<b>references</b> 137:20	<b>relates</b> 35:15 77:1	25:2,8 34:18 37:15
108:10 114:8	84:14	<b>referred</b> 59:9,12	123:12	37:20 40:13 49:20
115:14 117:6,6,12	<b>recommendations</b>	77:15 110:15	<b>relatively</b> 3:18	56:2,9 61:13 63:6
118:10,15,21	16:4 75:11	<b>referring</b> 85:14	54:19 65:4 71:5	63:7 64:4 78:9,11
119:8,13 123:12	<b>recommended</b>	111:2,2 150:16	104:12	78:18 141:13,18
128:4 138:9,14	59:10 72:11 74:6	<b>refers</b> 6:21	<b>releasable</b> 94:1	185:2 195:15,17
139:17 142:4	91:7,11 110:12	<b>reflect</b> 71:10 170:18	<b>release</b> 38:10 58:13	<b>reportings</b> 192:13
143:9 144:6 145:6	198:2	194:12 198:10	59:5 74:20 91:3,5	<b>reports</b> 32:13 56:12
148:20 149:22	<b>recommending</b>	<b>reflecting</b> 171:8	105:6	185:1 186:8
152:2 169:5	193:5,20	<b>reflects</b> 170:14	<b>releases</b> 38:7	<b>representative</b>
178:17 185:9	<b>recommends</b> 24:14	<b>reg</b> 125:1	<b>relevant</b> 129:22	19:20 23:22
186:20 189:20	<b>reconsideration</b> 4:2	<b>regarding</b> 53:13	197:7	105:16
191:15 194:17	<b>record</b> 51:20 68:3	57:7 58:8 64:9	<b>reliable</b> 121:15	<b>representatives</b>
200:11 202:6,10	148:1 172:6	66:7 68:15 90:21	<b>rely</b> 42:14 121:19	14:15
<b>reason</b> 65:16 66:8	<b>recreation</b> 89:1	138:13 149:12	122:15,18	<b>represented</b> 13:18
112:18 148:18	184:2	177:17	<b>relying</b> 29:17 36:9	170:22
195:22	<b>recreational</b> 2:7	<b>region</b> 13:17 170:21	127:21	<b>representing</b> 14:4
<b>reasonable</b> 88:4,5	4:16 5:6,10,15,21	197:2,12	<b>remains</b> 85:6	<b>represents</b> 13:21
<b>reasonableness</b>	7:8 8:19 9:5 10:16	<b>regional</b> 13:15	121:15	<b>request</b> 56:20
102:6	11:10 15:17 19:7	124:7	<b>remember</b> 88:13	123:21 198:5
<b>reasons</b> 53:17	37:14 39:10 40:22	<b>regions</b> 16:9 197:1	104:7 137:18	201:10
102:19 113:19	44:15 63:14,17	197:3,5	146:8	<b>requested</b> 79:6
157:22 195:20	69:17 77:14,15	<b>register</b> 141:15	<b>remind</b> 3:4 81:21	171:6
<b>reauthorization</b>	97:8,21 98:8,15	172:2	159:21	<b>requesting</b> 15:5
8:17,18 200:15	99:14,22 100:16	<b>registered</b> 79:2	<b>reminders</b> 201:4	<b>requests</b> 2:20 54:1,2
<b>Rebecca</b> 75:13 81:5	102:2 124:12	<b>registry</b> 9:6 10:9	<b>remnants</b> 35:12	78:10
84:16 90:10,12	161:16,21 166:3	11:2 12:12,12 13:8	93:1	<b>require</b> 56:2,9
91:14	173:5 175:21	26:17 27:7 35:11	<b>remove</b> 60:15 92:10	58:12 75:17,19
<b>rebuild</b> 190:9,22	178:21 185:5	<b>Regnery</b> 90:12,12	<b>Removing</b> 192:1	91:8 92:9 180:3
<b>rebuilding</b> 111:21	195:6 196:6	<b>regular</b> 23:7	<b>renamed</b> 75:3	196:15 199:22
<b>rebut</b> 194:4	200:10	<b>regulation</b> 149:20	<b>renewal</b> 126:17	202:2
<b>recall</b> 75:16 169:6,8	<b>recreationally</b> 95:5	154:1	<b>renewals</b> 123:3	<b>required</b> 56:6 59:4

59:11 71:17 72:6 72:11,12,13 74:7 75:21 76:11 78:3 91:4,12 106:1 126:13 151:4 180:3 183:8 <b>requirement</b> 75:17 188:17 <b>requirements</b> 13:7 13:9 126:8 181:21 189:5 198:20 <b>requires</b> 145:19 <b>requiring</b> 72:14 183:4 199:19 <b>research</b> 58:16,22 90:22 91:10 105:10,13 118:22 119:3 121:6 127:11 150:15 155:6 156:11 157:3,13,16 158:1 159:12 161:20 169:11,17 182:14 182:16 191:20,20 <b>reserve</b> 198:2 <b>resolved</b> 89:5 <b>resource</b> 123:14 168:17 177:13 190:9 191:1 <b>resources</b> 8:12 10:3 44:8,17 118:10,12 120:4 121:20 202:2 <b>respect</b> 49:2 101:1,3 150:15 <b>respond</b> 157:7 170:13 194:20 <b>Responding</b> 46:1 <b>response</b> 53:22 54:5 105:4 113:11 157:4 171:11 190:4 <b>responsibility</b> 113:16 <b>responsible</b> 176:7 <b>rest</b> 13:1 15:10 <b>restaurants</b> 82:22 111:8	<b>restrain</b> 199:22 <b>restricted</b> 61:9 82:1 <b>restrictions</b> 62:19 199:11 <b>result</b> 95:19 114:19 153:2 157:15 <b>results</b> 115:1 160:10 172:1 <b>retain</b> 185:7 <b>retention</b> 57:3 69:8 79:10 81:13 183:12 198:16 <b>retires</b> 7:19 <b>retrievable</b> 98:2 <b>return</b> 24:3 <b>returning</b> 21:12 <b>returns</b> 3:20 <b>review</b> 7:21 8:12,16 117:18 169:19 193:9 194:11,15 201:12 <b>reviewed</b> 118:3 <b>reviewing</b> 193:4 <b>Revising</b> 199:14 <b>revisions</b> 181:15 200:20 <b>Revisiting</b> 198:18 <b>revitalization</b> 184:8 191:9 <b>rewrite</b> 73:4 <b>RFDs</b> 198:13 <b>Rhode</b> 67:1 84:12 86:4,6 <b>Rica</b> 153:12 <b>Rich</b> 4:6 47:5 50:11 50:12 72:19 75:13 81:5 84:16 90:9 94:22 96:21 100:11,14,17 103:13 104:4,6 107:6 161:5 163:8 166:20 169:4 172:11 <b>Rick</b> 161:5 163:8,9 <b>Rico</b> 21:20,22 25:18 25:21 26:1 44:1 <b>ridge</b> 195:8,9,10 196:8	<b>rig</b> 49:14 71:22 100:5 152:14,19 152:22 157:1 <b>rigged</b> 98:12 <b>rigging</b> 72:4 94:14 <b>right</b> 8:17 9:13 10:4 10:5 28:18 36:19 37:17 40:20 46:16 47:13 53:8 68:22 70:7 75:21 76:12 79:5 87:5 100:22 103:19 104:18 113:18 116:2,6 130:7,8,22 132:3,7 132:19 133:1,14 133:14 141:1 142:3,22 146:18 154:21 161:15 163:15 164:7,22 169:6 170:14 172:12 181:4 191:14 <b>rigs</b> 89:21 152:16 152:17 <b>Rita</b> 63:20 64:7 68:1,3 70:6 161:5 163:8 166:20,22 169:3 <b>road</b> 174:21 175:2 177:21 <b>robustness</b> 6:21 <b>rod</b> 64:13,18 67:4 77:17 95:3 96:10 96:13 <b>rods</b> 66:15 97:9,13 99:16 <b>rolling</b> 9:11 <b>rolls</b> 45:20 <b>Ron</b> 4:13,14 14:15 31:22 32:19 35:6 37:8 39:11,13 40:9 46:6 48:4,8 50:17 51:10 132:4,5 133:22 <b>Ron's</b> 40:11 <b>room</b> 44:13 45:1 107:10 172:21 174:11 177:6	<b>rope</b> 60:3,9 <b>round</b> 40:4 <b>route</b> 80:21 <b>routinely</b> 116:12 <b>row</b> 160:6 <b>Ruais</b> 3:3 50:12,12 84:17 104:6,6 161:6 169:5 171:10 <b>rubber</b> 41:13 <b>Ruel</b> 114:3 <b>rule</b> 2:19 26:15,19 53:5,9 54:11 55:1 57:19 60:20,20 61:1,2 64:9 65:18 66:8 68:18 80:10 90:17 92:19 149:12 150:3,20 150:22 151:14 153:3,22 154:13 154:15 158:2 159:5 160:2,10,19 163:12 164:3 169:13,22 172:7 177:18 182:2,7,9 183:22 191:9 201:7 202:20 <b>rulemaking</b> 106:21 127:13 158:20 179:22 181:18 182:13 192:5 <b>rules</b> 64:11,19 65:11,20 69:20 99:18 102:3 167:15 181:9 182:4 186:10 188:16 191:13 <b>ruling</b> 68:20,21 <b>run</b> 82:7 83:16 130:20 174:13 182:19 183:3 <b>running</b> 182:15 <b>runs</b> 101:5 <b>Russ</b> 45:7 48:8 50:11 132:4 135:16 166:21 <b>Russ's</b> 137:2 <b>Rusty</b> 68:1 70:7	72:18,20 75:12 141:20 202:13 <hr/> <b>S</b> <hr/> <b>safe</b> 91:3,5 105:6 <b>safety</b> 58:21 68:19 69:1 187:4 <b>sailfish</b> 38:9,11 39:4 39:6 150:5,13 153:18 <b>saltwater</b> 5:21 9:7 10:9 11:2 12:13 26:17 <b>Salz</b> 4:14 5:2 28:18 32:1 33:15 36:7 39:19 42:6 200:9 <b>sample</b> 13:1 18:9,15 23:8,19 24:4,6,10 24:11 <b>samplers</b> 126:11 <b>sampling</b> 12:16 18:7 19:19 23:11 23:22 27:11 <b>Sampson</b> 96:21 97:2,3,17 98:22 99:12 <b>Sarah</b> 52:2 56:16 70:5 78:21 115:20 147:3 <b>Sari</b> 117:4 <b>sat</b> 50:18 <b>satellite</b> 155:11 <b>save</b> 168:17 <b>saw</b> 119:18 153:13 166:21 195:21 <b>saying</b> 43:20 78:21 78:22 79:7 100:1 154:20 <b>says</b> 8:18 42:13 45:16 52:5 55:12 72:3 108:3,6 109:3 109:5,16,16 114:16 133:12 143:13 165:14 174:13 196:3 202:15 <b>scare</b> 90:5 <b>scene</b> 108:22
---	--	--	---	--

<b>schedules</b> 127:5	<b>Secretary</b> 4:21	<b>separately</b> 19:13	156:10 184:19	<b>skeleton</b> 112:5
<b>school</b> 64:15,17	<b>section</b> 145:14,20	<b>separates</b> 68:18	187:9 193:9	<b>skill</b> 103:7
83:4 102:13	145:21	<b>separating</b> 124:10	<b>showed</b> 22:8	<b>skipjack</b> 55:4
104:20 111:7	<b>sectors</b> 167:16	<b>series</b> 20:18	<b>shown</b> 168:2	<b>slam</b> 49:13
112:22 198:8	<b>secure</b> 149:2	<b>serious</b> 86:2 177:5	<b>shows</b> 41:12 71:2	<b>slides</b> 56:17 193:1
<b>school-size</b> 81:21	<b>see</b> 13:6 16:5 21:5	<b>seriously</b> 30:8	<b>shut</b> 153:1	<b>slight</b> 105:16
82:18	22:6 30:10 46:21	<b>serve</b> 155:21	<b>side</b> 37:11 45:21,22	<b>slow</b> 187:20
<b>SCHULZE-HAU...</b>	56:8 59:15 65:16	<b>Service</b> 1:5 33:5	60:7 63:14,15	<b>small</b> 31:14,15 65:4
4:8 146:18 164:15	66:7 82:20 83:1	54:10 161:10	95:18 133:1,14	65:4 66:4 67:7
165:3,5 166:10	84:8,9 95:20	162:6 179:6	194:21	81:18 92:1 93:19
170:12 179:14	112:18 117:17	<b>set</b> 47:18 60:10	<b>sign</b> 121:20	101:22 114:2
180:15 185:11	118:13 130:17	94:18 119:20	<b>signatures</b> 122:1	132:14 150:6
188:8 191:7	135:17 145:5	120:17 186:11	<b>significant</b> 45:14	153:8,18 197:6
194:13 201:17,19	147:6 148:20	<b>sets</b> 152:12	150:14	<b>smaller</b> 31:17
202:17	149:22 151:22	<b>setting</b> 159:17	<b>sign-up</b> 122:19	<b>small/medium</b>
<b>science</b> 4:14,17	158:19 161:20	198:15	<b>SILVER</b> 1:22	64:15,17
58:17 74:15 91:1	162:12 165:12	<b>seven</b> 104:14 150:20	<b>similar</b> 20:15 29:7	<b>smarter</b> 134:9
168:13,22 170:6	167:13 172:2	150:22	40:10 43:19 80:14	<b>smell</b> 171:17
196:16	182:3 195:7 202:4	<b>severe</b> 151:22	182:7 194:22	<b>snf</b> 158:21
<b>scientific</b> 114:10,13	<b>seeing</b> 85:21 131:18	<b>shame</b> 176:21	195:3,13 196:21	<b>Society</b> 90:13
<b>scientist</b> 42:2	145:11	<b>share</b> 48:9 122:8	<b>simple</b> 15:14 65:19	<b>sold</b> 159:2 186:9
<b>scientists</b> 179:6	<b>seen</b> 12:14,16 80:18	158:17 159:18	<b>simplify</b> 188:15	<b>solely</b> 42:14 121:19
<b>scratch</b> 29:20	135:1 146:20	162:1	<b>simply</b> 74:17	<b>solution</b> 158:12
<b>scratched</b> 191:11	152:16 184:1	<b>sharing</b> 155:18,19	<b>single</b> 76:20 77:1	<b>somebody</b> 38:19,20
<b>scratching</b> 173:16	185:15 199:6	<b>shark</b> 72:21 179:18	152:14	96:3 99:5 102:22
<b>screen</b> 131:11 140:5	<b>seiner</b> 65:8	182:7,8 195:19	<b>site</b> 18:19 24:2,3	105:19 134:16
<b>scroll</b> 143:21	<b>selection</b> 18:19,22	201:7,8	33:5 125:19,21	173:5,7 174:11
<b>SCRS</b> 41:10,12,12	57:16	<b>sharks</b> 142:16	126:4 130:21	176:20 187:6
48:12	<b>sell</b> 82:22 98:10	178:18,20,21	131:10 132:20	<b>somebody's</b> 163:20
<b>sea</b> 52:13 58:8,13,18	<b>selling</b> 111:7 187:15	179:2 192:19	134:4,6,7,8 135:8	<b>someplace</b> 190:20
58:19,21 59:3,5,7	187:19	195:5	137:4,8,9 142:7	<b>son</b> 101:5
61:18 73:1,21,22	<b>semblance</b> 102:5	<b>sharp</b> 94:6	146:11	<b>Sonja</b> 177:16
75:8 90:14,22	<b>send</b> 121:22 122:19	<b>sheer</b> 122:14	<b>sites</b> 18:11,11,16	178:14,15 195:12
181:12	123:2,18 126:14	<b>sheet</b> 110:1 116:12	21:12 23:9 24:2	<b>sooner</b> 128:15
<b>search</b> 90:1 124:17	127:18 129:16	<b>sheets</b> 129:21	145:5 192:16	<b>sorry</b> 60:17 72:21
<b>searches</b> 59:17	130:3,5 136:17	<b>ship</b> 176:22	<b>situation</b> 43:18 82:8	77:11 78:21
<b>season</b> 61:4 103:16	177:9	<b>shocked</b> 170:2	82:14 83:16	122:19 131:21
182:7 197:3,10,12	<b>sending</b> 122:18	<b>shooting</b> 40:12	154:22 168:19	164:13
198:16 201:6	186:7	<b>shopping</b> 193:21	<b>six</b> 76:16 95:9	<b>sort</b> 6:8 9:7 10:19
<b>seasons</b> 197:1	<b>sense</b> 14:11 34:14	<b>short</b> 125:11 130:12	119:15 147:7	10:21 11:22 13:21
<b>second</b> 6:19 10:2,6	44:6,13 48:9 60:16	<b>shorten</b> 126:2	160:2,13 177:19	19:8 64:1
16:6 19:22 73:15	178:3 185:17	<b>shortline</b> 73:8,13	183:15 184:4	<b>souls</b> 117:7
94:5 121:3,17	189:16	93:9	187:9	<b>source</b> 119:14
124:14 172:20	<b>sensitivities</b> 90:6	<b>short-term</b> 158:12	<b>size</b> 70:3 74:16	157:20 162:7
<b>secondary</b> 96:16	<b>sent</b> 101:8	<b>shot</b> 131:15	81:16,18 102:13	<b>South</b> 20:2 54:3
144:9 153:2	<b>separate</b> 19:15 49:5	<b>shots</b> 131:11 140:5	155:13 192:1	68:4,7 88:18
<b>secondly</b> 101:1	76:18	<b>show</b> 14:8 18:3	<b>sized</b> 66:4	108:11 167:2
117:15 125:19	<b>separated</b> 76:17	71:22 75:4,10	<b>sizes</b> 166:2,9	<b>southeast</b> 34:8 49:8

58:17 91:1 105:8 126:18 148:14 <b>spawn</b> 4:5 <b>speak</b> 10:6 35:8 <b>spear</b> 79:17 <b>special</b> 62:6 <b>specialists</b> 91:2 <b>specialized</b> 16:14 17:7,7,13 65:1 <b>species</b> 1:13 16:1 17:6,11 21:6 22:5 22:12 30:16,17 37:13 54:18 55:11 70:22 71:3,6,12 132:9,12,19 133:3 133:17,18 140:8 140:17 141:12 143:3 145:18 148:19 162:9 169:18 178:8 179:1,9 186:5 187:17,19 196:6 200:19 <b>specific</b> 17:16 37:13 77:10 108:3 123:13 137:21 166:12 189:11 202:7 <b>specifically</b> 8:18 20:14 21:19 39:4 69:7 71:17 109:8 123:13 125:16 131:4 133:7 168:12 <b>specifications</b> 106:17,20 182:5 <b>specificity</b> 166:14 <b>specifics</b> 23:21 26:19 <b>specified</b> 166:4 <b>specifying</b> 9:4 <b>specs</b> 156:22 165:22 166:11 201:8 <b>speed</b> 27:8 150:18 152:10 <b>spend</b> 118:16 157:2 <b>spent</b> 55:8 <b>sphere</b> 139:16	<b>spines</b> 115:16 <b>spinner</b> 195:5 <b>spiny</b> 49:1,3 113:17 113:18 115:9,13 <b>spot</b> 83:5 108:12 <b>spring</b> 1:22 61:3 114:2 182:10 <b>spurred</b> 9:1 <b>square</b> 190:10 <b>squeeze</b> 116:20 <b>squid</b> 89:21 134:18 185:1 <b>squids</b> 95:9,9 <b>St</b> 52:1 <b>staff</b> 118:3,4,9 119:5 124:8 126:1 127:2 173:6,19 174:1,12 202:9 <b>stage</b> 181:18 202:20 <b>stakeholders</b> 11:13 11:17 54:7 128:15 128:18 129:2,6 <b>stamp</b> 41:13 49:5 <b>stand</b> 132:12 <b>standard</b> 200:19 <b>standards</b> 28:21 187:4,4 <b>standpoint</b> 100:4 <b>start</b> 5:14,20 15:8 16:22 17:1,16 22:9 27:17 42:16 46:11 107:11 117:10 120:15 134:1 160:6 164:18 <b>started</b> 21:2,3 32:5 51:17 117:3 120:19 138:16 153:16 <b>starting</b> 29:19 118:17 147:18 161:2 202:3 <b>starts</b> 197:10 <b>starving</b> 175:22 <b>state</b> 3:12,19 10:8 13:9,12 35:16 38:12 39:5,6,16 48:20,22 49:7 73:13 80:11	126:17,19 149:1,3 173:2 198:13 <b>stated</b> 72:13 188:18 <b>statements</b> 4:3 72:22 162:3 <b>states</b> 1:1 8:7 13:4,6 13:7 14:4,14 26:22 27:2,5,8 28:20 40:21 73:6,12 99:19 115:7 124:8 144:11 167:21 168:2 175:17 188:7 197:8,14 <b>stating</b> 109:21 <b>statistical</b> 23:20 <b>statistician</b> 151:9 <b>statistics</b> 10:15 136:8 <b>status</b> 54:17 117:12 169:19 179:9,17 180:4 <b>stay</b> 165:6 <b>staying</b> 87:10 <b>stays</b> 65:19 107:14 <b>steering</b> 10:22,22 14:1 26:10 <b>Steffen</b> 117:5 130:3 <b>Stellwagen</b> 65:6 81:7 <b>step</b> 11:19 14:22 27:16 <b>Stepping</b> 98:22 <b>Steven</b> 113:20 <b>stewardship</b> 121:4 127:8 <b>stick</b> 59:12 75:1 93:17 107:10 108:4 <b>sticks</b> 59:18 60:4,11 <b>sticky</b> 92:5 <b>stock</b> 7:6 33:7 34:9 <b>Stone</b> 30:1,1 63:21 63:21 <b>stop</b> 64:13 <b>stopping</b> 111:21 <b>stowage</b> 199:18 <b>stowed</b> 80:14,17 <b>Straighten</b> 165:20	<b>straight-face</b> 171:16 <b>straits</b> 108:11 <b>strategies</b> 118:9 120:2 121:12 122:4 124:6 125:10 <b>strategy</b> 122:5,22 124:6 125:12 126:11,16 128:20 129:20 <b>stratified</b> 49:8 <b>stream</b> 126:2 <b>strengthen</b> 11:12 <b>stretch</b> 107:17 <b>strictly</b> 152:12 <b>strike</b> 155:8 <b>striking</b> 76:18 <b>string</b> 107:11 <b>strong</b> 154:20 169:8 170:16 171:17 <b>strongly</b> 31:16 48:6 158:2 172:5 <b>structure</b> 10:20 42:19 <b>student</b> 179:15 <b>studies</b> 9:20 20:8,9 27:15 90:18 <b>study</b> 159:1 <b>stuff</b> 24:17 29:4 73:10 76:8 102:17 109:2 135:1 136:22 139:4,5 173:8,13,14 174:16,17 175:4 176:14,17 201:16 201:20 <b>stumbled</b> 135:2 <b>style</b> 164:5 <b>subdivide</b> 143:22 <b>subject</b> 177:17 <b>subjected</b> 88:12 <b>subjects</b> 142:6 143:3 <b>submit</b> 18:4 39:17 41:11 46:4 <b>submits</b> 32:6 <b>submitted</b> 39:21	68:13 <b>submitting</b> 39:16 <b>subperiod</b> 198:17 <b>subquota</b> 198:8 <b>subregion</b> 13:17 <b>subtracted</b> 114:21 <b>sub-samples</b> 48:22 <b>success</b> 185:15 <b>successes</b> 129:11,17 <b>successful</b> 105:13 <b>sudden</b> 83:5 84:7 <b>sued</b> 165:10 <b>suffice</b> 76:10 <b>sufficient</b> 200:2 <b>suggest</b> 40:1 51:11 161:4 <b>suggested</b> 169:17 <b>suggesting</b> 171:14 <b>suggestion</b> 19:10 132:15 172:4 194:21 195:8 197:9 <b>suggestions</b> 26:8 61:8 130:2 147:9 179:12 189:4,12 189:21 191:18 197:20 <b>sum</b> 155:11 <b>summaries</b> 124:1 <b>summarizing</b> 147:5 <b>summer</b> 52:22 53:18 160:8,13,13 <b>superior</b> 44:22 <b>supplying</b> 168:8 <b>support</b> 64:2,3 68:8 68:14 85:10,13 90:13 92:4 105:20 109:14 122:2 150:2 170:16 199:20 <b>supporting</b> 101:8 182:17 <b>supposed</b> 85:11 168:3 187:1 <b>supposedly</b> 45:17 75:2 <b>sure</b> 13:16 27:22 28:21 34:17 44:12
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69:6 78:15 85:1 91:19 92:19 96:18 148:13 178:9 179:17 181:3 182:22 183:9 198:9 199:15 201:20 <b>surface</b> 55:13 77:5 191:11 <b>surprise</b> 93:6 <b>surprised</b> 87:12 <b>survey</b> 12:14,19,20 15:17,18,22 16:12 16:12,14,20 17:12 18:8 19:7 20:6,9 20:11,12 21:4,15 23:2,3 24:22 25:5 30:14 31:1,12,19 32:2,8 33:18 37:13 38:6 39:3 42:10,16 42:22 43:13,14,21 47:2,9 49:21 113:17 114:22 115:2 <b>surveyed</b> 35:16 <b>surveys</b> 7:8 15:22 24:22 31:7 35:18 42:14 45:15 <b>survival</b> 157:9 <b>survive</b> 92:13 <b>suspended</b> 55:13 77:4 <b>suspending</b> 170:17 <b>suspension</b> 158:5,8 <b>sustainable</b> 118:4 132:10,18 133:2 133:15 140:6 <b>swarmed</b> 112:4 <b>swimming</b> 83:5 <b>swordfish</b> 21:1,2 30:21 37:16 38:4 39:7 40:11,14,21 44:15 93:12,17 107:22 133:7 175:9 176:14,19 184:8,13 185:12 189:1,3,8,21 190:6 191:8,19	<b>swordfishermen</b> 168:1 <b>swordfishery</b> 46:7 <b>system</b> 15:20 29:19 123:1 <hr/> <b>T</b> <hr/> <b>table</b> 2:5 28:4 75:6 108:20 178:12 <b>tables</b> 192:22 193:3 195:18 <b>tackle</b> 36:15 150:11 150:15,18 151:5 151:10 153:8,19 154:12 180:5 <b>tagging</b> 3:21 <b>tags</b> 3:6,7,18 155:12 <b>take</b> 21:18 43:12 44:18 47:7 49:14 51:16 76:7 83:14 83:15 85:15 89:6 107:16 111:19 116:14 128:9 137:22 147:4 158:18 161:1 163:11 165:9 167:2 202:9,18 <b>taken</b> 17:9 37:15 38:6 71:13 163:21 <b>takes</b> 23:11 103:7 134:21 135:10 160:1 177:18 <b>talk</b> 5:4 14:18 16:16 26:18 53:4,6 79:15 79:20 119:12 124:9,12 128:9 134:17 157:17 159:15 160:22 171:15 <b>talked</b> 35:7 48:21 181:11,15 182:13 <b>talking</b> 21:3 26:4 48:16 52:4,8 62:5 65:3 69:15 76:22 77:6,13 79:8,21 99:10 109:20 110:6 111:1 126:12 152:6	162:22 164:16 <b>talks</b> 81:18 <b>tape</b> 45:21,22 88:20 88:20 131:14,14 176:9,9 202:22 <b>target</b> 19:9 100:18 160:4 162:9,13 190:5 198:19 <b>targeted</b> 54:18 71:1 95:22 <b>targeting</b> 21:11 150:13 153:17 <b>targets</b> 17:9 <b>task</b> 6:9 9:22 10:6 <b>tasks</b> 29:20 <b>taste</b> 115:14 <b>tax</b> 175:19 <b>TBF</b> 62:1 154:20 155:19 <b>teach</b> 58:14 <b>teaching</b> 74:2 <b>team</b> 10:9,12 11:2,4 11:5,21 12:12 14:2 15:14 16:5,8 17:19 20:20 26:6,6 40:5 137:22 <b>teams</b> 10:9,16 47:22 <b>technical</b> 12:1 197:9 <b>technically</b> 86:15 91:7 <b>technology</b> 4:15,17 63:3 <b>TEDs</b> 73:22 <b>teenage</b> 69:3 <b>telephone</b> 20:12 42:9,14 47:2 49:19 49:19,21 <b>tell</b> 8:2 36:13 38:3 90:4 98:18 101:6 102:12 132:11 138:13 140:13 159:22 170:8 178:9 <b>tells</b> 113:20 114:4 <b>temporary</b> 158:4,8 <b>ten</b> 6:15 55:14 66:14,16 67:5 73:3 77:6,7 86:19 93:5	107:11 108:5 <b>tends</b> 71:3 <b>ten-minute</b> 51:16 <b>term</b> 59:13 91:4,6 125:11,20 200:3 <b>terminology</b> 73:13 <b>terms</b> 9:8 13:19 18:12 31:1 84:1 85:9 86:12 87:4 91:9 105:19 111:11 112:16 118:8,11,21 119:3 119:17 121:15 122:12 123:20 125:10 128:12 143:3 172:4 180:12 195:16 <b>Terri</b> 84:16 90:11 91:15,16 94:5,22 97:1 104:4 107:6 108:16,18 110:18 132:4 135:16 137:14 138:20,21 139:20 <b>terrific</b> 50:13 51:3 130:9 <b>territory</b> 22:6 <b>Terry</b> 81:5 <b>test</b> 95:11 151:2,3 171:16,17 <b>tested</b> 105:4 128:7 128:21 193:7 <b>testing</b> 128:13 157:10 <b>tether</b> 59:9,17 60:17 71:17 72:9 74:5 106:15,19 <b>Texas</b> 5:19 <b>thank</b> 4:11 5:3 31:20 35:6 43:17 47:16 51:10,21 61:21 62:13 63:19 68:5 70:9 72:18 75:12,15 76:13 81:2 84:14 90:8 97:2 100:9,10 108:14,15 113:10 115:17,20 135:12	137:15 138:6,18 146:15 154:16 163:2,5,6 167:1 169:2,3 172:11,14 177:13,14 179:13 180:11 202:5,9,11 <b>thanks</b> 4:6,8 28:14 29:21 31:21 32:19 37:8 39:11,18 40:6 45:6 48:8 50:11 51:7 56:19 62:14 64:6 67:21,22 70:5 81:4 84:15 90:9 94:21,22 96:20 104:2 107:5,6 110:18 115:19 133:22 135:13 138:19 139:18,20 144:13 146:16 154:17 157:6 163:7 178:13 188:7 <b>theme</b> 195:17 <b>themes</b> 192:21 <b>thin</b> 60:2 <b>thing</b> 6:15,20 10:2 20:15 22:2 26:11 27:7 30:12 34:12 44:2 47:5 63:18 64:22 65:1 71:15 71:20 78:8 82:11 82:12 85:7 96:7 101:18 102:16 109:22 110:17 116:3,8 134:10 144:6 145:3 152:5 164:22 167:13 171:4 172:20 186:8 187:13,16 188:1 194:2 201:18,20 <b>things</b> 4:10 7:17 8:2 8:6 9:8 17:20 21:14 30:9 31:2 37:11 39:2 41:21 46:17 53:15 69:1 79:20 90:4 93:8 94:11,18 108:10
--	---	--	---	--

111:19 125:14,15 129:13 131:2 133:5 134:3,5 135:7 138:14 142:14,18 147:6 148:7 154:8 159:18,22 160:6 161:11 167:14 168:12 172:18 180:2 185:18 187:22 188:10 189:7 192:17 193:22 194:3,7,11 200:5,15 202:7 <b>think</b> 4:3,9,10,18 5:13,20 7:17 9:12 17:1 22:9 26:9 28:10 29:16 30:8 30:13,16,20 33:1 34:14 36:15,21 40:11 41:22 42:7 42:15 43:15 44:5,6 45:1,3,9 46:5,6,17 48:17,17 49:11,18 50:2,4,12,16 51:8 62:18,20 63:6,8,10 69:4,5 78:9,13,17 78:20 80:4 81:6,9 82:7,10,13,15,18 83:7,8,11,13,20 84:2,18 85:13,22 86:2,9 87:14 88:22 89:3 93:2 95:14 96:5 100:14 101:11 102:2,17 107:11 108:2,9 109:15 110:12 113:5,8,11 115:4 115:19 116:6 117:21 125:13,14 126:18 127:14 132:15 134:19 136:16 137:5 139:12,15,16 140:11 141:8 142:18 143:15 145:2 146:1 147:14,16 151:21	152:3,4 154:11 163:15 164:17 167:8,18 168:15 170:13,20 172:12 175:14 179:17,20 180:7,8 181:4,16 183:5,10 184:20 185:6,10,14,15,20 188:8,18 189:8,20 189:22 191:8 192:8 194:11 196:20 197:3 201:22 202:3,6,19 202:20 <b>thinking</b> 20:10 42:16 75:20 76:12 98:20 108:19 143:2 194:14 196:11,12 <b>thinks</b> 22:1 <b>third</b> 20:15 124:6 126:16 128:3 <b>thirdly</b> 117:18 126:16 <b>thought</b> 4:19 21:3 48:16 49:12 81:1,9 93:8 95:7 138:14 144:5 179:7,8 184:22 <b>thoughts</b> 61:11 73:20 181:5 <b>thousand</b> 3:6,18 74:21 102:19 177:8 <b>thousands</b> 45:13 <b>three</b> 7:17 32:13 33:13,14 57:4 65:13 73:16 82:1 86:18 107:6 153:9 179:1 184:1,14 197:2 <b>thresher</b> 178:20,21 179:18 <b>threshold</b> 26:22 <b>threw</b> 103:21 <b>throw</b> 69:3 120:20 <b>throwing</b> 19:17 <b>tight</b> 165:22	<b>tightly</b> 166:8 <b>time</b> 6:13 8:21 15:7 15:10 21:13 28:2 42:8 43:12 44:17 47:20 51:2 52:20 53:7 55:9 56:16 57:15 60:19 61:3 66:7 79:3 83:19 86:22 104:21 114:1,17 117:7,21 118:16 125:6 130:12 134:21 135:3 138:3 139:11 146:14,17 147:12 149:21 158:4,7 160:1,19 161:1 164:3 165:15 170:6 174:1,5 176:15 178:11 182:8 190:12 191:20 <b>timely</b> 7:11 121:2 <b>times</b> 33:13,14 76:8 145:17 155:4 172:17 183:5 <b>timing</b> 197:5 <b>tip</b> 195:4 <b>today</b> 64:12 66:1 68:14 101:21 117:2,9 <b>told</b> 17:21 87:8 134:16 <b>tolerance</b> 192:2 <b>Tom</b> 32:20,21 66:2 70:8 72:19 75:13 81:4,6 84:15 87:22 97:1 101:2,13 104:5 107:7 108:16 110:18 113:10 <b>tone</b> 3:10 <b>tons</b> 50:22,22 51:3 175:13 177:9 <b>tool</b> 12:14 <b>tools</b> 105:7 <b>top</b> 10:21 34:16 83:6 103:6 107:14 132:11 133:3	155:20 156:9,14 <b>topics</b> 40:1 192:20 <b>tossing</b> 169:1 <b>total</b> 119:15 <b>totally</b> 111:21 112:5 <b>tough</b> 118:11 <b>tournament</b> 18:21 19:1 122:11 123:5 124:5 127:20 150:3 151:16 153:22 154:2,2 163:18 184:14 <b>tournaments</b> 18:8,9 18:20 19:5,9,12,13 19:20 150:5,21,22 151:15 152:8 158:16 169:15,21 <b>town</b> 151:16 <b>track</b> 189:19 <b>tracking</b> 145:1 <b>tract</b> 28:16 <b>trade</b> 144:10 181:14 <b>traditional</b> 89:17 95:8 149:21 154:14,15 <b>traffic</b> 124:21 125:16 <b>training</b> 90:15 <b>transfer</b> 187:17,17 198:1,5 <b>transfers</b> 54:15 178:8 <b>transition</b> 104:13 116:5,15 <b>transitting</b> 92:21 <b>treat</b> 19:13 <b>tremendously</b> 66:3 <b>trending</b> 121:17 <b>tried</b> 47:6 50:15,19 115:13 <b>trip</b> 23:16 70:12 78:15 80:12,13 98:15 103:21 <b>triple</b> 189:4 <b>trips</b> 17:9 19:14 24:3 31:18 34:2 37:2 50:20 56:13 58:5,7 61:16,16	65:5,9,22 66:1 80:1,21 185:16 196:3,5 <b>troll</b> 86:20 89:20 107:14 152:9 <b>trolled</b> 67:16 76:4 150:17 <b>trollers</b> 189:5 <b>trolling</b> 67:17 89:14 <b>trolls</b> 185:2 <b>trouble</b> 134:13 <b>troubled</b> 191:1 <b>true</b> 45:4 100:17 143:7 <b>truly</b> 104:9 <b>try</b> 11:17 13:6 14:13 19:15 38:15 49:13 60:15 125:15 126:1 130:22 135:9 137:1 139:3 146:19 157:3 162:16 191:15 202:4 <b>trying</b> 5:8,14 7:18 11:9 19:11 21:10 24:8,9 27:8 28:6 28:19 32:15 37:11 39:2 89:14 103:5 111:14 124:21 128:12 137:19 147:1 159:22 167:15,16 180:5 180:16,22 184:19 186:14 190:9,11 194:20 196:7 197:3,17 <b>tuna</b> 4:4 30:20 33:6 54:13,14,17 56:21 58:3 61:4 62:20 63:14,17 68:10 81:14 86:21 87:13 89:15 93:14 96:9 100:13 104:10 106:7 107:15,22 111:7 129:3 162:10,14 181:11 182:4 197:20 201:8
--	--	---	--	---

<b>tunas</b> 53:21 55:5 69:14 79:14,16,22 95:22 98:10 142:15 143:13,14 143:19 199:9	<b>U</b>	<b>use</b> 5:10 12:15 27:10 32:7 33:20 35:16 37:5 43:5 47:9 55:18 56:17 56:21 57:2,21 58:2 58:4,5,15,18 59:21 60:11,12 64:22 65:1 69:9 75:22 79:7,18 84:12 85:17 86:1 87:17 88:6 89:17 91:4,20 91:21 92:3,12 93:12,16 96:16 97:20 99:4,6,20,21 103:22 106:8 112:1 121:20 122:5 128:4 138:9 138:17 151:4 152:2,11,14,15 187:9 188:17 190:7,17 199:5,8 199:17	<b>variance</b> 174:18 <b>variety</b> 171:8 185:13 <b>various</b> 3:13 <b>Venezuela</b> 155:14 156:12,15 <b>ventilate</b> 152:21 <b>versa</b> 64:16 <b>version</b> 99:14,22 <b>versus</b> 31:9,19 32:2 36:22 68:19 69:9 195:9 <b>vertical</b> 77:16 97:12 <b>vessel</b> 60:6 78:15 85:6 98:5 99:19 110:10 187:2,3 191:9 <b>vessels</b> 12:21 56:3,5 56:14,18,22 58:3 58:12 87:19 94:7 99:13 <b>vibrant</b> 63:12 <b>vice</b> 64:16 <b>viewing</b> 20:7 <b>Village</b> 151:17 <b>Vince</b> 96:21 100:11 104:4 107:6 108:15 178:13 <b>Vincent</b> 177:16 <b>Vineyard</b> 88:16 <b>Vinnie</b> 50:16 <b>Virginia</b> 16:13,14 <b>virtually</b> 63:4,15 121:21 <b>visit</b> 131:6 134:4 <b>visual</b> 60:18 131:12 <b>vitality</b> 50:6 <b>VMS</b> 183:9 <b>voice</b> 129:2 171:3 <b>voluntarily</b> 150:20 153:16 <b>vouchers</b> 201:4 <b>VTR</b> 32:6 34:22 <b>VTRs</b> 32:6 33:4 34:12,13 <b>vulnerable</b> 165:1	<b>wahoo</b> 162:10,14 <b>wait</b> 100:1 <b>walk</b> 103:8 <b>walking</b> 158:10 160:17 <b>want</b> 6:14,16 21:14 22:18 24:4 26:2 27:5 29:2 30:12 33:7 41:5 42:11 47:17 48:1 49:3,15 61:6,10 62:2 64:3 68:12 81:21 83:18 87:16 89:9 92:11 93:3 94:5 103:11 103:12 111:17 118:19 120:13 122:5,6,21 123:1,5 125:21 127:21 128:2,12 130:15 130:17 131:2,19 135:8 154:19 156:4,17 158:9 161:1 166:11,17 167:4 172:14 178:16 185:6 191:4,13,14 <b>wanted</b> 13:16 14:8 17:17 44:7 69:5 73:4 92:8,18 96:17 104:8 105:5 106:18 113:11 117:3 119:20 138:22 147:14 <b>wanting</b> 103:3 155:6 <b>wants</b> 69:3 <b>warehouse</b> 28:19 <b>warming</b> 87:7 <b>warranted</b> 158:19 160:10 193:9 <b>wasn't</b> 8:15 45:14 85:11 87:20 96:18 108:21 111:2 159:14 172:5 177:22 185:18 186:21 196:22 <b>waste</b> 157:5 <b>water</b> 55:13 77:5	
<b>tuna's</b> 56:5 <b>tune</b> 114:20 <b>tuned</b> 165:7 <b>turn</b> 164:6 <b>turning</b> 32:13 187:13 <b>turtle</b> 52:13 58:9,13 58:18,19 59:3,7,9 59:12,16 60:8,12 60:17 61:18 72:1,3 72:4,9 73:1,21 74:4 75:2,8 90:15 90:22 105:3,6 106:15,19 181:12 <b>turtles</b> 59:5,21 60:13 73:22 138:2 199:22 <b>turtle's</b> 60:14 <b>twisting</b> 60:13 <b>two</b> 7:17 9:8 10:7 24:2 25:10 31:12 33:13,13 34:2 59:8 59:8 60:1 65:9 66:12 68:22 72:22 74:11 85:20 89:22 101:5 103:12 105:11 108:5 122:10 141:7 156:6 169:9,11 177:15 179:1 184:15 185:8,22 193:16,22 194:3,7 194:10 195:11 <b>twofold</b> 15:14 <b>two-hook</b> 152:19 <b>type</b> 21:21 59:11 107:19,21 113:6 178:4 191:4 <b>types</b> 5:15 6:1,5 57:20 59:8 88:8 <b>typical</b> 23:12 <b>typically</b> 38:10 97:6 131:6,16 140:21	<b>unable</b> 152:21 <b>unanimity</b> 169:8 170:15 <b>unchanged</b> 158:3 <b>underage</b> 54:14 <b>underestimate</b> 45:18 <b>undersized</b> 192:2 <b>understand</b> 25:10 66:12 107:13 108:1 110:2 148:6 155:9 165:3,13 186:15 <b>understanding</b> 57:1 76:15 79:8,21 115:2 120:21 <b>understood</b> 69:6 <b>unfortunate</b> 137:18 <b>unfortunately</b> 92:8 92:17 149:8 157:11 160:14 <b>unfunded</b> 154:5 <b>unintended</b> 199:12 <b>unit</b> 106:16 <b>United</b> 1:1 40:21 144:11 167:21 168:2 175:17 188:7 <b>universe</b> 31:14,15 31:17 49:6 170:18 <b>unpermitted</b> 126:10 <b>update</b> 2:14 116:3 125:1 <b>updated</b> 28:7 125:2 137:16 <b>upgrading</b> 191:10 191:21 <b>upper</b> 132:19 133:11,13 140:8 183:14 <b>upright</b> 77:22 <b>urgency</b> 48:10 <b>URL</b> 125:16 138:7	<b>useful</b> 50:14 145:7 202:8 <b>user</b> 63:15 125:22 130:20 131:8 145:6 <b>users</b> 56:9 78:10 132:6,16 133:6 <b>user-friendly</b> 130:14 <b>uses</b> 48:22 120:9 149:10 <b>usually</b> 17:4 41:13 60:5 61:4 109:1,12 <b>utilize</b> 92:11 <b>utilizing</b> 150:10 <b>U.S</b> 41:14 42:4 45:4 47:14 54:13 175:8 177:7 187:3	<b>vague</b> 143:9 <b>valleys</b> 46:15 <b>valuable</b> 53:10,19 54:7 149:9 <b>value</b> 186:16,16 187:7	<b>V</b>	<b>W</b>

83:6,6 87:7 89:19 103:6 106:8 112:11 187:6,12 <b>waterfront</b> 148:22 <b>waterfronts</b> 148:11 148:15 149:6,7 <b>waters</b> 38:13 39:5,6 73:14 87:10,11 193:7 <b>way</b> 11:19 18:9,20 19:4 24:6 31:16 34:15 38:21 41:10 67:18 71:11 72:16 76:11 79:12 81:1 83:4 84:7 89:7 92:5 96:2 98:3,19 98:20 101:4,21 106:7 107:13 108:1 127:18 137:1 138:15 150:8 152:20 154:8 172:17 178:4 179:10,18 186:18,18 188:5 188:12 195:10 197:18 <b>ways</b> 11:15 19:4 90:2 167:10 189:19 <b>Weber</b> 161:5 163:9 163:9 165:8 <b>webmaster</b> 126:1 <b>website</b> 28:6 117:20 117:20 125:5 130:9,13,18,19 138:4 145:21 146:3 <b>week</b> 32:10 46:3 <b>weekend</b> 41:2 <b>weeks</b> 82:1 153:13 <b>weight</b> 18:15 19:1,2 24:18 44:11 168:5 168:6 <b>weighting</b> 24:16 <b>weird</b> 90:7 <b>Weiss</b> 64:8 68:1 100:12,12 <b>welcome</b> 158:16	202:21 <b>went</b> 10:7 153:10 170:3 174:19 177:6 <b>weren't</b> 148:10 171:22 <b>West</b> 3:19 29:9 <b>western</b> 4:4 <b>wet</b> 170:8 <b>we'll</b> 12:15 27:14,22 51:17 118:5 121:20 122:16,17 122:19 126:14 151:21 158:18 159:19 180:7 181:22 189:22 192:22 195:13 201:1 <b>we're</b> 5:14 6:6,19,22 9:8 10:1,20 11:9 11:15,18 12:10,20 13:10 16:19,19 17:18,20 18:21 19:3 20:4,7,10 21:4,7,9,10 22:5 24:9 25:8,12,17 27:7,19,21 28:6,9 29:17,19 30:10 32:3,15,18 33:11 34:15,17 35:2 36:14,18 37:11,20 38:7,14 39:7 40:12 41:4,7,8 42:8,10 43:7,8,9,10 44:1 46:2,19 51:3 52:8 64:18,20 65:11 71:16 73:7 75:20 76:12 77:6 78:13 81:3 82:4,8 96:8 99:10 116:3,14,19 117:8,10,21 118:17 119:1 121:17 125:7 128:11,11 130:16 132:21 139:16 147:1,19 148:14 149:14,15 154:6 156:8,18 158:9,10	160:17 165:1,6,8 166:18 168:3 170:14,19 176:3 176:18 179:20 180:5,8 182:5,9,15 182:18 183:6 184:19 189:13 191:3 192:18 194:20 197:17 202:19 <b>we've</b> 3:16 4:9 6:11 10:13 12:20 14:3 15:18,19 16:14 26:14 28:1,5 32:4 33:6,8 41:9 42:20 42:20 43:6 46:22 47:6 48:19 68:13 73:2,4 74:6 78:17 81:19 85:4 87:13 87:21 89:12,13,22 91:22 104:2 117:1 117:14 118:2,13 122:10 125:11 146:19 147:2 149:20 154:22 156:15,19 157:22 160:3 164:16 166:19 175:5 182:19,22 183:2 197:16 201:11 <b>wheel</b> 29:3 <b>white</b> 88:17 150:13 153:17 169:17,20 170:5,10 <b>wider</b> 74:12 <b>willing</b> 159:11 198:7 <b>win</b> 11:11 <b>wind</b> 46:13 109:6 <b>winding</b> 104:4 110:19 <b>window</b> 193:21 <b>winter</b> 61:2 169:20 169:21 182:9 <b>wish</b> 169:5 <b>wondering</b> 35:21 36:3 70:10,12 90:17	<b>wood</b> 60:1 139:6 <b>word</b> 126:13 129:13 <b>words</b> 56:12 64:12 69:8 80:12,17 98:1 99:5 167:8 <b>work</b> 10:16 11:21 12:2,7,11 14:7,9 14:10,17 15:7,11 16:11 17:15,16 22:16,19 23:1 25:1 25:13 29:6,7,12 30:11 31:8 34:2 37:12 39:3,20 40:2 40:4 42:19 46:3,19 47:10,18,21 48:4 117:1 126:2 134:19 139:6 144:2,18 156:9 159:18 164:20 189:22 190:18 197:17 202:3,7 <b>worked</b> 91:2 117:5 119:18 156:19 181:19 <b>working</b> 10:10,20 13:5 21:19 22:5,9 22:11,13 25:9,10 25:11,17,19 29:2 34:15 46:8 48:11 88:13 116:21 120:10 124:7 148:11,15,22 149:6,7 156:20 157:22 159:4 163:3 165:6 166:18 179:15 195:2 <b>works</b> 11:15 24:7 107:8,13 181:17 <b>workshop</b> 36:12 162:4,16 <b>workshops</b> 58:14 74:3 90:16 125:14 141:14,22 143:18 156:8 <b>world</b> 65:17 155:21 <b>worry</b> 86:10,11 <b>worst</b> 114:11	<b>worth</b> 52:17 137:19 175:9 176:19 188:2,2,3,4 <b>wouldn't</b> 40:17 72:6 79:14 87:12 183:13 <b>wrap</b> 180:17 <b>writing</b> 156:1 <b>written</b> 8:17 109:8 149:15,18 <b>wrong</b> 101:7,11 135:4 170:8 <b>wrote</b> 177:6 <hr/> <b>X</b> <hr/> <b>X</b> 109:5,17 <hr/> <b>Y</b> <hr/> <b>Y</b> 109:5,17 <b>year</b> 7:22 9:17,18 17:19,22 18:2 20:7 22:7 41:5,15 42:9 45:5 46:10 47:15 48:16 49:10 56:20 62:22 67:16 74:2 81:22 92:2 114:18 116:22 129:18 144:12 150:20 151:21 200:13 <b>years</b> 6:15 7:9 9:21 21:16 31:8 45:11 52:17 88:4 103:4,8 104:14 105:11 112:8 152:18 153:9 156:6 157:20 167:11 186:6 <b>year-round</b> 46:14 46:16 <b>yellowfin</b> 45:10,14 54:17 55:4 63:17 66:20,21,22 67:14 69:12 70:21 80:5 87:5,9,13 96:4 111:1 <b>yellowfins</b> 84:6 <b>yesterday</b> 51:14 178:20
---	--	---	---	--

<b>York</b> 35:17 36:1,2 36:18,19	<b>13</b> 5:21 45:21,22 <b>14</b> 3:3 88:20 <b>147</b> 2:16 <b>15</b> 51:12 88:20 106:10 112:2 114:7 131:14 184:5 198:1 <b>15th</b> 26:5 197:10 201:10,11 <b>150</b> 38:4 86:20 <b>150,000</b> 155:1 <b>16</b> 131:14 166:7 176:9 <b>17</b> 176:9 202:22 <b>175</b> 50:22 <b>18</b> 94:13 166:7 <b>1980s</b> 88:14 <b>1995</b> 57:13 <b>1999</b> 70:20	<b>3</b> <b>3</b> 23:11 126:7 <b>3,000</b> 173:20 <b>30</b> 7:9 37:1 112:8 <b>30th</b> 202:16 <b>30,000</b> 114:6 <b>31st</b> 202:15	<b>9</b> 23:12 140:12 <b>90</b> 85:16 163:17 <b>90s</b> 186:13 <b>900</b> 95:10 <b>93</b> 194:18 <b>97</b> 186:14 <b>99</b> 57:19 173:15
<b>Z</b>		<b>4</b> <b>4</b> 1:18 2:7 114:17 126:22 <b>40</b> 155:11 <b>40,000</b> 114:6 <b>42</b> 84:3,3 <b>450</b> 169:19 170:10	
<b>Z</b> 109:5,18 <b>zip</b> 49:9 <b>zones</b> 92:21	<b>2</b> <b>2</b> 24:4 125:4 127:6,7 129:9 167:7 182:8 <b>2nd</b> 201:9 <b>2.6</b> 190:10 <b>20</b> 67:16 94:13 112:3 <b>20,000</b> 114:5 <b>200</b> 2:20 51:3 151:2 <b>2003</b> 70:20 <b>2004</b> 58:10 59:1 <b>2005</b> 55:11 <b>2006</b> 55:11 <b>2007</b> 1:18 52:20,22 54:6,8 60:22 61:2 198:11 <b>2008</b> 27:13 49:12 50:14 61:3,4 114:22 118:17 149:14 182:5,7,11 <b>2009</b> 8:22 27:21 <b>24</b> 94:13 <b>25</b> 37:1 187:15 188:2 <b>250</b> 144:18,21 <b>272</b> 41:1,19 <b>280</b> 40:21	<b>5</b> <b>5</b> 114:18 127:12 187:15 188:2 193:4,18 194:2,6 194:16,19 <b>50</b> 24:4 73:9 85:16 <b>500</b> 188:3 <b>51</b> 2:9 73:19	
<b>\$</b>		<b>6</b> <b>6</b> 128:10 129:10 <b>60</b> 85:16 155:11 <b>600</b> 65:10 <b>61</b> 2:12	
<b>\$10,000</b> 83:9 <b>\$100</b> 175:9,15,16 176:18 <b>\$2</b> 9:17 <b>\$20</b> 107:4 <b>\$200</b> 106:16 <b>\$240,000</b> 155:16 <b>\$25</b> 175:14 <b>\$250</b> 106:16 <b>\$3.5</b> 9:18 <b>\$300,000</b> 155:17 <b>\$35</b> 107:4 <b>\$40</b> 107:4 <b>\$500,000</b> 44:20		<b>7</b> <b>70</b> 85:16 <b>70s</b> 155:3 <b>700</b> 186:22 <b>73</b> 69:14,16 70:1 79:11 102:9	
<b>0</b>		<b>8</b> <b>8</b> 23:12 175:13 <b>8:30</b> 3:2 <b>80</b> 151:1 <b>80s</b> 74:1 186:13,22 <b>85</b> 163:17 <b>86</b> 65:9 <b>860,000</b> 114:20	
<b>0606</b> 54:16 <b>08</b> 9:18 17:19 61:2 175:10		<b>9</b>	
<b>1</b>			
<b>1</b> 8:21 17:8 24:5 27:21 121:7,7,8 122:9,9 123:11,22 125:4 182:3,6 201:8 <b>1A</b> 123:11,12 <b>1B</b> 123:22 <b>1st</b> 27:20 197:11 <b>1,000</b> 114:4 175:12 <b>1,200</b> 114:4 <b>10</b> 106:10 112:2 <b>100</b> 17:8 24:2 38:3 181:3 <b>116</b> 2:14 <b>12</b> 114:7 115:3 140:12 186:5 <b>12th</b> 201:5 <b>125</b> 50:22			