

DEPARTMENT OF COMMERCE
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NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

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NATIONAL MARINE FISHERIES SERVICE

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HIGHLY MIGRATORY SPECIES ADVISORY PANEL

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TUESDAY
SEPTEMBER 20, 2011

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The Highly Migratory Species Advisory Panel met in the Crowne Plaza Hotel, 8777 Georgia Avenue, Silver Spring, Maryland, at 10:00 a.m., Bennett Brooks, Facilitator, presiding.

PANEL MEMBERS:

TERRI BEIDEMAN (proxy for Gail Johnson)
RICK BELLAVANCE
ANDRE BOUSTANY
JIM FRANKS
WILLIAM GERENCER

ELIZABETH GRIFFIN-WILSON
RUSSELL HUDSON
ROBERT HUETER
STEVEN JAMES
JOHN JOLLEY
DAVID KERSTETTER
GERALD LEAPE
SHANA MILLER
KENNEDY NEIL
TIM PALMER
ELLEN PEEL
RALPH PRATT
VINCE PYLE

RICHARD RUAIS

MARK SAMPSON
MARK STEVENS (proxy for Sonja Fordham)
SCOTT TAYLOR (proxy for Vincent Montella)
MARK TWINAM
RICK WEBER
CHRISTOPHER WEINER
ROM WHITAKER

ICCAT REPRESENTATIVE:

JOHN GRAVES

STATE REPRESENTATIVES:

GREGORY SKOMAL, Massachusetts
ARRON PODEY, Florida
WALLACE JENKINS, South Carolina
CARRIER KENNEDY, Maryland
JASON ADRIANCE, Louisiana
TODD NEAHR, Texas
RANDY GREGORY, North Carolina
CAROLYN BELCHER, Georgia

COUNCIL REPRESENTATIVES:

LARRY ABELE, GMFMC
DAVID CUPKA, SAFMC
MARCO HANKE, CFMC

FACILITATOR:

BENNETT BROOKS, CONCUR

NOAA STAFF:

RANDY BLANKINSHIP
MICHAEL CLARK
BRAD McHALE
MARGO SCHULZE-HAUGEN

JENNI WALLACE
JACKIE WILSON

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P R O C E E D I N G S

(9:59 a.m.)

1
2
3 MS. SCHULZE-HAUGEN: All right.
4 Everyone, if you could go ahead and take your
5 seats, I think we are going to go ahead and
6 get started.

7 I think we do have a couple of
8 folks we are still expecting to arrive
9 shortly. So, I think we have almost everyone.
10 I see a very full group. Hopefully,
11 additional folks coming in. We may need to
12 put in a couple of chairs. We've got a full
13 house here.

14 So, first of all, I wanted to
15 introduce myself. Margo Schulze-Haugen. I'm
16 the division chief for the Highly Migratory
17 Species Management Division. And so, I wanted
18 to welcome you to our fall 2011 HMS Advisory
19 Panel Meeting.

20 This is the group that advises the
21 Secretary on management measures for Atlantic
22 HMS, specifically FMP's and FMP amendments.
23 And so, I think we have a number of issues at
24 this meeting that is very timely for
25 consideration in that regard. I think we'll
26 have a very productive and interesting
27 discussion the next couple of days.

28 So, at this point I wanted to hand
29 it over to Bennett. Bennett is our
30 facilitator, and he's going to go through some
31 ground rules for the meeting.

32 MR. BROOKS: Thanks Margo. And
33 good morning to everybody. Thank you, Margo,
34 for having me here to facilitate the meeting
35 for the next three days.

36 It's a pleasure to be back here.
37 There are some new faces around the table that
38 I haven't met, but CONCUR, that's the firm I
39 work with, has been facilitating the HMS
40 Advisory Panel now for about two years or so.

41 And I wasn't able to make it to
42 the last meeting due to a scheduling conflict
43 and our associate, Jonathan Rapp filled in.
44 But, it's nice to be back and be here with you
45 all.

46 CONCUR, just to say a touch, for
47 those of you who don't know who we are, we're
48 a small firm and we focus on facilitating and

1 mediating complex resource issues and we've
2 spent a great deal of time working on
3 fisheries issues for the past decade in a
4 range of areas.

5 So, hopefully we're bringing a
6 good deal of insight and awareness of the
7 issues you'll be talking about today and over
8 the next couple of days. I look forward to
9 being here.

10 As Margo said, we've got a pretty
11 dynamic agenda ahead of us for the next couple
12 of days. It's quite substantive. It's a mix
13 of updates which are important, and then we
14 have several very focused conversations, and
15 we're really counting on all of you around the
16 table to engage in that, really share your
17 thoughts with us, and listen very carefully to
18 others around the table.

19 These are important topics and
20 start-up, some conversations that will be
21 going for -- for quite some time now, and we
22 really are hoping, looking forward to a very
23 productive conversation.

24 What I would like to do is just
25 walk us very quickly through the agenda so you
26 have a sense of what the next couple of days
27 are going to be like, see if there's any
28 questions about that, and then touch on the
29 ground rules, as Margo mentioned.

30 So, today, in the morning, we'll
31 get a couple of updates. First of all, Margo
32 will, as she normally does, give us a review
33 of various activities and updates, so we have
34 just kind of a scan of about a dozen issues or
35 so.

36 Then, we'll have an update on the
37 status of VMS and eDealer rulemaking. We'll
38 break for lunch and we'll have an hour and a
39 half for lunch, and we will ask you to return
40 promptly from lunch, and the breaks. It is a
41 very crowded agenda and we can burn up a lot of
42 time lingering before we get back from breaks,
43 and we ask you to be as prompt as you can.

44 In the afternoon, we'll get some
45 updates on HMS recreational fisheries-related
46 issues and then after a break we'll start
47 diving into one of the major topics that we'll
48 be talking about during this meeting which is

1 considering the need for the Atlantic Bluefin
2 Tuna, FMP Amendment.

3 And we'll start that discussion
4 this afternoon with an overview. Basically,
5 staff will walk through the white paper that
6 you were provided ahead of time. Just make
7 sure everyone has a common understanding and
8 a common grounding.

9 We'll take some clarifying
10 questions, and then really try to just get
11 some initial thoughts out on the table before
12 we break for the day, so we have a chance to
13 understand the kinds of issues, the kinds of
14 considerations that you all have as you think
15 about this issue.

16 Then, tomorrow, we'll come back
17 and we will dive back into that topic, and
18 we'll have the whole morning set aside to talk
19 about this issue and get a feel for where the
20 AP is at. Again, this is first cut at this
21 topic, and a conversation that will be
22 continuing, not just at this meeting, but at
23 AP meetings to come.

24 Tomorrow afternoon we'll tackle
25 several different topics. We'll start with an
26 enforcement update. We don't have the new OLE
27 director coming or the San Francisco Office
28 director coming, but HMS staff will be
29 providing that update for us.

30 I know -- we had all hoped they
31 would be here but it's sometimes hard to get
32 schedules to mesh, and this was one of those
33 moments.

34 We will then have a conversation
35 around the stock assessment updates and
36 rebuilding plans and then into a conversation
37 around the swordfish general commercial permit
38 concept. That will take us to the end of our
39 day two.

40 Then, on day three is a half-day
41 and we'll have an HMS Research Plan update.
42 Sam Rauch, who is deputy head of the agency
43 will be giving us an update on the National
44 Ocean Policy. It will be very good to have
45 Sam with us and an opportunity for you all to
46 hear from him what's happening with that
47 initiative.

48 And then we'll have a preview on

1 the future of the shark fishery. As I think
2 many of you know, there's a workshop scheduled
3 for Thursday afternoon. That's where the
4 primary conversation on that topic will be.

5 But, we know some AP members will
6 need to leave and so we'll give the
7 presentation in the morning. We'll have an
8 opportunity for folks who can't be here in the
9 afternoon, to fold in their thoughts.

10 And then, after a quick summary of
11 sort of panel priorities and next steps by
12 Margo and her staff, we'll adjourn and then
13 we'll reconvene in the afternoon for the
14 panels.

15 So, that's a quick scan of what
16 we're up to over the next three days.

17 One point, just to add, is Panel
18 Member Dave Kerstetter - who I don't think is
19 here yet, but will be here -- has an update he
20 can give on the pelagic longline closed area
21 research.

22 We don't know exactly when we will
23 fit that into the agenda, but we will tuck
24 that in somewhere so you have an opportunity
25 to hear that.

26 Let me just pause and see if
27 there's any questions or anything people
28 thought would be on the agenda or needed to be
29 that isn't there. Anything, from --

30 Rich.

31 MR. RUAIS: Yes. Rich Ruais with
32 American Bluefin Tuna Association. Probably
33 ten days ago or so I spoke to Margo about
34 adding one topic to the agenda.

35 And we brought along a one-page
36 handout. It has to do with suggesting a name
37 change for the General and Harpoon categories
38 to include the phrase "artisanal."

39 And we can get into it whenever
40 you think it's appropriate on the agenda. And
41 I don't know exactly where that is. I guess
42 it depends upon how the conversation goes, but
43 it shouldn't take very long. We don't think
44 it requires necessarily an amendment to the
45 plan, but something that's very important to
46 both categories.

47 So, whenever it's convenient,
48 we'll put the one-pager out, I guess, on the

1 table out in the coffee room and people can
2 pick it up at a break and then we can talk
3 about it later today or in the morning,
4 whatever your preference is. Thank you.

5 MR. BROOKS: Okay. Let us talk
6 and we'll figure out where that makes sense.
7 Thanks, Rich.

8 Anybody else?
9 (No response.)

10 MR. BROOKS: Okay. Then what I
11 would like to do is just run through the
12 ground rules that I'll be relying on for
13 managing the meeting over the next couple of
14 days.

15 Those of you who have been around
16 the table for this, there will be nothing
17 knew, but I know there are some new members
18 and some proxies who are here, as well, and so
19 it's worth spending just a couple of minutes
20 to hit these.

21 First of all, just to emphasize,
22 you know, as you all know, the Advisory Panel
23 is not a consensus-seeking body, but it is a
24 panel that's a very important source of advice
25 for Margo and her team and so, really, the
26 intent here is to foster productive
27 conversation so you all can learn from each
28 other and Margo and her team can learn from
29 all of you.

30 As far as participation, the folks
31 around the table are the primary participants
32 and that's where the conversation will be
33 held. There will be opportunities at the end
34 of each day, and I neglected to point this out
35 during the review of the agenda, but there are
36 public comment periods at the end of each day.

37 And so, for those of you in the
38 audience who wish to weigh-in on any topic
39 under discussion, that will be your
40 opportunity to fold into the conversation.

41 As far as the nature of the
42 discussion, we have a couple of simple rules
43 that ask each of you to really be thinking
44 about and focus on as we start getting into
45 the meat of this agenda.

46 You know, our intent really is to
47 have a focused conversation and explore the
48 range of interests under -- under discussion.

1 And so, to that end, we really ask you all to
2 try to broaden the conversation, to fold in
3 your perspectives, to listen carefully to how
4 others are folding in their perspectives, ask
5 probing questions.

6 We don't want to close the
7 discussion down. We really want to make sure
8 we're exploring all the options that are
9 possible, regardless of the topic under
10 discussion.

11 We're not really here to win --
12 win a conversation, we are here to inform HMS
13 staff so that put forward wise policy. So, we
14 ask you to think about that.

15 We encourage you to be as
16 constructive as you can in your conversation,
17 to integrate ideas, listen to what your fellow
18 panel members are saying, think about your
19 interests and try to come to the conversation
20 with ideas that integrate across the different
21 perspectives.

22 We are obviously a very large
23 group, and we're not even yet at full
24 strength. We've got a couple more people to
25 join in, so we ask you to be very mindful of
26 sharing time.

27 If you can keep your comments
28 succinct, that will be helpful. If someone
29 has made a point that you've already made, we
30 respect that it's important for you to note
31 that that's the case, but you don't
32 necessarily have to repeat the entire comment.

33 So, if it's enough to say, "Hey,
34 Rusty hit my point. I really agree with
35 Rusty," leave it at that. That's helpful
36 because it gives Margo and all of us a sense
37 of where you're at, but it creates time and
38 space in the discussion for others to keep
39 folding in.

40 Obviously it's really important
41 that everyone is respectful in their comments.
42 You are all here because you have important
43 information to share, important perspectives
44 to share.

45 You all have a valued input here,
46 and we really ask you to be respectful of each
47 other in your comments.

48 Let's see. Meeting summary.

1 Margo's team will, as they always do, produce
2 a summary. After the meeting, there will also
3 be a succinct summary right before the end of
4 day three, sort of hitting the high notes, so
5 you should anticipate that.

6 And then, just a couple of meeting
7 logistics. When you want to get in the queue,
8 what we ask you to do is just take your name
9 card and turn it on its end.

10 And poor Chris. I've already
11 warned Chris, he's got to be really well-
12 behaved because, you know, he's sitting right
13 up here. Everyone's watching him. He's
14 sitting next to the teacher so -- poor Chris.

15 But, anyway, just keep your name
16 card up and we will recognize that. We will,
17 in general, manage the queue based on the
18 order that you raise your table tent cards.
19 However, we will deviate. That will not be,
20 you know, a fervent religion here.

21 Rather, if we're having a
22 conversation if someone -- if there's an
23 important dialogue back and forth between two
24 people we will want to keep that going because
25 that's instructive, and it's kind of hard to
26 have a good conversation when you have to wait
27 for the ten people to speak before you get to
28 respond.

29 So, we'll try to, you know, have a
30 little give-and-take on there. Also, we
31 really want to make sure that we're hearing
32 from everyone around the table. So, to the
33 extent that people are being quiet, I may sort
34 of go out of my way to draw people in.

35 To the extent that someone hasn't
36 weighed in and they -- and their card goes up
37 and there's ten people in front of them, I may
38 ask that person to jump the queue.

39 So, I ask your permission to be a
40 little flexible in how we -- how we fold
41 people in, but it's all in the spirit of
42 making sure that everyone has an opportunity
43 to fold-in to the conversation.

44 If your cell phones are not off,
45 please turn them off now. Obviously, if we
46 know that people have other work that they may
47 need to attend to, if you do, please, we ask
48 that you leave the room with your cell phone.

1 It's incredibly hard to focus when
2 someone is talking next to you, either on the
3 cell phone or just with their neighbor. So,
4 we would ask you to honor that.

5 Please use microphones. It's a
6 big crowd, big room, and we won't be able to
7 hear without it. And then, when you're done,
8 please turn it off.

9 That's all I wanted to say in
10 terms of ground rules. I'd like to see --

11 Margo, is there anything you
12 wanted to add to that?

13 (No response.)

14 MR. BROOKS: Any questions from
15 any AP members on how I'll be managing the
16 meeting or anything about the meeting itself?

17
18 Yes, please.

19 (Off-the-record comments about
20 email.)

21 MR. BROOKS: Yes. Margo.

22 MS. SCHULZE-HAUGEN: Yes.

23 MR. BROOKS: With a capital L.
24 Capital L. Thanks.

25 Okay. So, with that, I think
26 before we go around the room and do
27 introductions, I think Margo has some new
28 members of her team that she'd like to
29 introduce.

30 MS. SCHULZE-HAUGEN: Yes. So, I
31 wanted to update you on some staffing changes
32 so you recognize some of the new faces around
33 the room.

34 I think I mentioned before but, in
35 case I didn't, Mark Murray-Brown, who had been
36 with the division for a long time, took
37 another job this past winter with the
38 Northeast Regional Office, Protected Resources
39 Division.

40 Brad McHale, who most of you
41 should know, has become the new branch chief
42 for the Northeast team.

43 We have recently -- and actually,
44 not even officially -- hired Tom Warren, who
45 is sitting next to him -- giving the wave --
46 to bring that team back to full strength.

47 And we also have a new operations
48 branch chief, Jenny Wallace who is back here.

1 And she is coming to join us because Commander
2 Brian Parker who is a NOAA Corps personnel is
3 going to a new assignment in a couple of
4 months, and so we wanted to have some overlap
5 in those positions.

6 So, with that, I just wanted to
7 let you know some of the new faces. And so,
8 at this point what I'd ask is that we go
9 around the room. If you could, you know,
10 identify yourself, your affiliation.

11 If you're new to the panel, let us
12 know that. If you are a proxy, if you would
13 let us know who you're representing and a
14 little bit about yourself. And then we'll --
15 we'll start with the table and then go through
16 the whole room.

17 So, Greg.

18 MR. SKOMAL: Greg Skomal,
19 Massachusetts Division of Marine Fisheries,
20 representing the State of Massachusetts, and
21 Paul Diodati, the director.

22 MR. ABELE: Larry Abele. First-
23 time member from the Gulf of Mexico Council,
24 serving as an other, degree in biology and
25 marine sciences and an avid fisherman.

26 MR. BELCHER: Carolyn Belcher,
27 Georgia Department of Natural Resources.

28 MR. JAMES: Steve James, Boston
29 Big Game Fishing Club and Stellwagen Bank
30 Charter Boat Association.

31 MR. TWINAM: I'm Mark Twinam, the
32 Fishing Vessel CAPTAIN TATE, and a longliner.

33 MR. RUAIS: Rich Ruais, director
34 of American Bluefin Tuna Association,
35 representing mostly general category and
36 harpoon category members and the party head
37 boat people within the general category. In
38 the northeast. Thank you.

39 MS. MILLER: Shana Miller. I
40 started just yesterday as a consultant with
41 the Pew Environment Group.

42 MR. PRATT: Ralph Pratt,
43 Massachusetts commercial bluefin tuna
44 fisherman and with ABTA.

45 MS. KENNEDY: Carrie Kennedy,
46 Maryland Department of Natural Resources.

47 MR. STEVENS: Good morning. My
48 name is Mark Stevens. I am proxy for Sonja

1 Fordham and Shark Advocates International.
2 MR. NEAHR: Todd Neahr, Texas
3 Parks and Wildlife, Coastal Fisheries
4 Division.
5 MR. GREGORY: Randy Gregory, North
6 Carolina Division of Marine Fisheries.
7 MR. JENKINS: Wallace Jenkins from
8 South Carolina Department of Natural
9 Resources.
10 MR. ADRIANCE: Jason Adriance,
11 Louisiana Wildlife and Fisheries.
12 MR. BELLAVANCE: Rich Bellavance
13 from the Rhode Island Party and Charter Boat
14 Association, representing the charter boat
15 industry in the northeast.
16 MR. DePERSIA: Tom DePersia,
17 charter boat captain, Massachusetts.
18 MR. CUPKA: David Cupka, South
19 Atlantic Fishery Management Council.
20 MS. PEEL: Ellen Peel, the
21 president of the Billfish Foundation.
22 DR. HEUTER: Bob Hueter, Mote
23 Marine Laboratory, academic sector.
24 MR. WHITAKER: Rom Whitaker,
25 owner-operator of a charter boat in Hatteras,
26 North Carolina, and also Hatteras Charter Boat
27 Association.
28 MR. SAMPSON: Mark Sampson,
29 representing charter boat and private
30 recreational fishermen, Ocean City, Maryland.
31 MR. FRANKS: Jim Franks, Gulf
32 Coast Research Laboratory with the University
33 of Southern Mississippi.
34 MR. WEBER: Rick Weber, South
35 Jersey Marine and Tournaments, Cape May, New
36 Jersey.
37 MR. TAYLOR: Scott Taylor, Day
38 Boat Seafood. I'm proxy for Vinnie Montello,
39 representing -- representing the commercial
40 sector about ten longline boats and about 30
41 hand-gear fishermen in South Florida.
42 MR. PALMER: Tim Palmer, Bowie
43 Gear sword fisherman, East Coast of Florida.
44 MR. GERENCER: Bill Gerencer,
45 Portland, Maine.
46 MR. NEILL: Ken Neill,
47 Recreational Angler of Virginia.
48 MR. GRAVES: John Graves, Virginia

1 Institute of Marine Science here representing
2 the ICCAT Advisory Committee.
3 MS. BEIDEMAN: And I'm Terri
4 Beideman. I'm here from Bluewater Fishermen's
5 Association, representing -- proxy for Gail
6 Johnson today.
7 MR. HANKE Marco Hanke, for
8 Caribbean Fishery Management Council, charter
9 captain.
10 MR. PODEY: Aaron Podey, Florida
11 Fish and Wildlife.
12 MR. HUDSON: Rusty Hudson,
13 president and director of Sustainable
14 Fisheries and representing the commercial
15 sector and also advisor to the East Coast
16 Fishery Section.
17 MR. JOLLEY: John Jolley, West
18 Palm Beach Fishing Club, Florida.
19 DR. BOUSTANY: Andre Boustany,
20 Duke University.
21 MS. GRIFFIN-WILSON: Elizabeth
22 Griffin-Wilson, Oceania.
23 MR. LEAPE: Gerry Leape, PO
24 Environment Group.
25 MR. PYLE: Vince Pyle, owner of
26 the long-lining vessel CAROL ANN and director
27 of the South Bluewater Fisherman's
28 Association.
29 MR. WEINER: Chris Weiner, Bluefin
30 harpooner, Portland, Maine, and ABTA.
31 MR. BROOKS: Great. And let's
32 head over to the back of the room, please.
33 (Audience introductions.)
34 MS. SCHULZE-HAUGEN: All right.
35 Thank you.
36 I'm going to ask for some
37 technical assistance. Sorry, I'm coming to
38 the conclusion that electronics are like cats,
39 they know who is allergic to them and cease
40 functioning when I use them. So, it's -
41 MR. BROOKS: Do you have a
42 nonfunctioning cat?
43 MS. SCHULZE-HAUGEN: I don't have
44 a cat.
45 MR. BROOKS: Oh. All right.
46 Thank you, Jenny.
47 All right. So, this is a quick
48 overview of things that we have been doing

1 since we last met in April, just an overview,
2 also trying to give feedback in the continuing
3 attempt to be responsive to the issues and
4 advice of the Advisory Panel where we can, and
5 give you some rationale if we can't.

6 And I will not be touching on
7 issues that have time on the agenda later in
8 the meeting. So, if you don't see something
9 here, it's likely because we'll touch on it in
10 a few minutes.

11 A quick overview. Since April,
12 we've published four proposed rules and four
13 final rules. Two of those rules were both
14 proposed and final in between AP meetings;
15 namely the Shark ICCAT Rule and the Swordfish
16 Specs.

17 We've made progress, I think, on a
18 number of the issues that were raised in the
19 2009 advanced notice of proposed rulemaking.
20 A lot of the issues first broached in that
21 ANPR are still very much at issue.

22 Our workshops continue. We've had
23 18 since April, and we've published the notice
24 of intent and a control date for the shark
25 fishery, and this is in support of Amendment
26 6 for sharks.

27 And our Bluefin Tuna Endangered
28 Species Act decision came out in late May that
29 listing under the Endangered Species Act is
30 not warranted at this time, however, bluefin
31 were added to the Species of Concern list and
32 another review is scheduled for 2013 when
33 information from the Deepwater Horizon
34 research and another stock assessment will
35 have been completed.

36 We have also issued 38 exempted
37 fishing permits, scientific research permits
38 and letters of acknowledgment. This is for a
39 lot of the research work that's underway by a
40 number of you as well.

41 These continue to be substantial
42 in the review and time that they take. We've
43 registered, to date, 236 tournaments. Over
44 4,000 people are now on our listserv of
45 getting information about all HMS issues and
46 the VMS reimbursement is available for HMS
47 fisheries.

48 An update on the oil spill. All

1 of the areas are now open except for the area
2 immediately above the incident sites, and that
3 apparently will be closed for some time.

4 The restoration efforts are now in
5 like what's called the early restoration phase
6 and proposals and projects can be submitted to
7 the Gulf Spill Restoration sites. If you want
8 more information, the Restore the Gulf website
9 is pretty comprehensive on everything that's
10 going on.

11 First update would be for the
12 Bluefin Quota and Tuna Management Measures
13 Rule. This was a rule that generated
14 substantial interest and comment this spring,
15 and it was ruled to implement the reduced
16 bluefin recommendation from ICCAT.

17 Our quota is, for the western
18 Atlantic, was reduced 50 metric tons. The
19 base quota for 2011 and '12 is 923.7 metric
20 tons, 25 tons to the Northeast distant is in
21 addition. Our adjusted quota, now, for 2011
22 is 957 tons.

23 Following consideration of the
24 substantial public comments and updated dead
25 discard information, the final rule accounted
26 for half of the dead discard estimate up-front
27 within the longline category and allocated the
28 full 2011 baseline quotas for the directed
29 fishing categories.

30 The longline category was also
31 provided half of the underharvest that could
32 be carried forward for an adjusted quota of
33 61.1 metric tons, about a 15-ton reduction.

34 And the other half of the carry-
35 forward was put into the reserve because we
36 had not fully accounted for all of the
37 expected discards, but also for other
38 management reasons that was held in reserve
39 until later in the year to see where we're at.

40 Other actions in that rule, we
41 reinstated the target catch requirements for
42 the Northeast distant area. Those target
43 catch requirements mean that you have to have,
44 you know, a varying number of other species in
45 order to retain between one and three bluefin
46 tuna.

47 That action also allowed for the
48 removal of the tuna tail lobes as long as the

1 fork of the tail remains intact so we can get
2 a proper measurement.

3 And finally, there was a
4 clarification of the transfer-at-sea
5 regulations to clarify the transfer includes
6 moving or attempting to move tuna that is on
7 fishing gear.

8 The Bluefin Tuna Regulatory
9 Amendment, this was a rule that published in
10 2009. It was largely in response to the ANPR
11 but because of all of the things going on we
12 have not taken final action.

13 This rule proposed to increase the
14 maximum daily retention for the general
15 category from three to five bluefin to allow
16 the fishery to remain open until the January
17 subquota is reached and for the harpoon
18 category to increase the incidental retention
19 limit for large-medium's from two to four.

20 Initially the comment period was
21 extended until after the CITES meeting, and
22 then we decided to wait until after the next
23 stock assessments, ICCAT meeting and ESA
24 decision were final.

25 So, clearly, there's been a lot of
26 things going on in bluefin tuna. Just having
27 to list all of the things that we were waiting
28 on, those are now complete and so we are
29 turning our attention to moving on the final
30 rule in the next couple of months.

31 For bluefin tuna we've also had a
32 number of in-season actions for general
33 category, maintaining the three fish maximum,
34 essentially from June through December, and
35 for the angling category, establishing a daily
36 retention limit for private vessels and
37 charter head boats, as well as also closing
38 the trophy category, southern and northern
39 subquotas.

40 The Shark ICCAT rule is the rule
41 that implemented two measures that were
42 adopted at ICCAT last year that prohibit the
43 retention, transshipping, landing, storing,
44 selling of hammerheads with the exclusion of
45 bonnethead and oceanic whitetips.

46 As of September 28th when the rule
47 is effective, the retention of hammerheads and
48 oceanic whitetips will be prohibited on

1 commercial vessels with pelagic longline gear
2 on board as well as within the angling
3 category and general category permits in
4 registered tournaments when tunas, swordfish
5 and/or billfish are retained.

6 So, that is a change that is
7 coming into effect next week. We've also had
8 a number of NC's and actions, namely closures
9 for different segments of the shark fisheries,
10 both the Gulf of Mexico and shark fishery,
11 nonsandbar large coastals and the porbeagle
12 shark quota.

13 And you can see we came right in
14 under the nonsandbar large coastal quotas, but
15 did go over with information to date on
16 porbeagles.

17 HMS Trawl Rule. This was one of
18 the final rules. This was one of the rules
19 where we had gotten substantial AP input and
20 support and so I'm glad to say that we were
21 able to finalize this.

22 We were able to make it effective
23 immediately upon publication. This is not
24 something we're always able to do but in this
25 case we were. And so that established a new
26 permit for the Illex squid moratorium permits
27 to keep up to the 15 swordfish current limit,
28 provided squid constitute no less than 75
29 percent of the catch and only trawl gear is on
30 board.

31 To date about 90 percent of the
32 eligible permit holders have gotten this
33 permit. So I think -- I'm glad we were able
34 to get this done. That clearly meets the
35 need, and largely we'll be converting what
36 were dead discards into landing. So the
37 impact to the stock is neutral and I think
38 it's a positive step overall.

39 It also -- this rule also
40 established retention limit in all trawl
41 fisheries for smooth-hound sharks not to
42 exceed 25 percent of the total catch. That's
43 intended to keep that as an incidental
44 category. That will be coming into effect at
45 a future date based on the separate rulemaking
46 on smooth-hounds.

47 The swordfish specs. Again, this
48 was proposed in final since we saw you last,

1 implementing the new swordfish measure for
2 2011 and establishing the 2011 southern
3 swordfish quotas based on ICCAT
4 recommendations. You can see they adjusted
5 quotas here, adjusted based on underharvest in
6 the last year.

7 For Caribbean Amendment 4, I want
8 you just to keep this on your radar. We are
9 working on a proposed rule that, hopefully,
10 will come out in the next couple of months.
11 As we are working on the things with statutory
12 clocks, often the things that we would like to
13 move on aren't as fast as they could be, but
14 we are maintaining our interests and intending
15 to move on this soon. So, stay tuned.

16 Looking at some of the landings.
17 The recreational swordfish issues, our 2011
18 landings to date are 187. We are on track now
19 to continue the trend of decreasing landings
20 since mandatory reporting came on line in
21 2003. 2010 was the lowest since that came on
22 line.

23 This has a link to the swordfish
24 revitalization discussions as well as the
25 permit discussion on Wednesday.

26 For recreational billfish you can
27 see our numbers here. We are now including
28 roundscales spearfish in the marlin complex
29 because of the species ID issues. And so all
30 of the measures that apply to white marlin
31 apply now to roundscales spearfish.

32 You can see we are getting the
33 break-out in landings by ID now, so I think
34 that's positive. And so you can see where
35 we're at here. Sailfish as well.

36 Tournaments update. As I
37 mentioned, 236 to date. We also have two
38 already registered for 2012, so some great
39 advanced registration. We have the email, a
40 new website that has a number of the forms and
41 information, abilities to request outreach
42 material as tournaments come up.

43 The pelagic longline closed area
44 research. This is what we had the
45 presentation on in the spring. That final
46 report is now available. We have copies in
47 the back and then Dr. Kerstetter has agreed to
48 give us an update focusing on what may have

1 changed in the final analysis that we can try
2 and find some time during the meeting to hear.

3 We continue to work with councils
4 and commissions on issues as they come up.
5 The Mid-Atlantic Council gave us some great
6 input on the Trawl Rule, continue to work with
7 the Atlantic States Marine Fisheries
8 Commission on sharks with the Interstate Shark
9 Plan.

10 I'm happy to report that our
11 modernized International Bluefin Trade
12 Tracking System is in use and was used to
13 generate the reports due to ICCAT at the end
14 of the month.

15 Our greenstick gear study in North
16 Carolina is completed. That data is being
17 analyzed and our study in Louisiana was --
18 actually, the contract was just awarded last
19 week. So, we're continuing to pursue that
20 research.

21 Both of these were funded through
22 the Bycatch Reeducation Engineering Program,
23 which is an internally-competitive funding
24 program.

25 The swordfish management document,
26 which was required by the 2010 North Swordfish
27 ICCAT Measure was submitted on time on the
28 15th. We have copies of that if you are
29 interested.

30 This was to document our fishery
31 management and development in preparation for
32 this upcoming ICCAT meeting.

33 Our eDealer, Electronic Dealer
34 Reporting System development has been a
35 substantial amount of work. We are making
36 good progress on the rulemaking that goes
37 hand-in-hand with that as one of the proposed
38 rules that in -- since April.

39 We also launched an app for
40 shortfin/mako live release, and so that's been
41 pretty-well received. People are starting to
42 use it. We can demo it for you if you would
43 be interested in that.

44 And we've also been submitting our
45 monthly reports per the ICCAT recommendation
46 on bluefin tuna. So, we've had a lot of kind
47 of operational components in addition to
48 rulemaking the last couple of months.

1 For workshops, what I'll note here
2 is these continue. The protected species and
3 the handling and release workshops. We have
4 about 24 a year for the shark identification
5 workshops. There are about 12 a year. They
6 are on a three-year renewal cycle.

7 Most folks now are into the
8 renewal cycles of having to go again to renew
9 their permits.

10 Looking at the issues raised in
11 the 2009 ANPR, that was focused on increasing
12 opportunities to harvest US quotas while
13 ending overfishing, rebuilding bluefin,
14 continuing efforts to revitalize swordfish
15 fishery while minimizing bycatch, clarify
16 permit structure and implications of catch
17 shares for HMS fisheries.

18 We will be touching on all of
19 those issues in some form or fashion every day
20 of the meeting. So I think -- as I said, the
21 issues are still very timely.

22 Looking ahead, it's ICCAT season.
23 As I talked about with a couple of you this
24 morning already, we have the ICCAT Advisory
25 Committee. Many of you are on that next
26 month.

27 Multilateral meetings scheduled
28 and the annual meeting this year in November,
29 as always. It's a busy time for us in support
30 of the international office, as well as the US
31 delegation.

32 We're expecting proposed rules
33 with public hearings on the 2012 Shark
34 Specifications Rule. The implementing rule on
35 the Shark Conservation Act, which will also
36 include issues, some other issues on
37 smoothhounds. And I mentioned Amendment 4, so
38 those should be coming up in the next couple
39 of months, as well as final rules for VMS and
40 eDealer.

41 We anticipate starting scoping for
42 the future of the shark fishery, Amendment 6,
43 as well as Amendment 5, which is also related
44 to shark rebuilding plans.

45 The Electronic Dealer Reporting
46 System should be coming on line early 2012.
47 We're hoping to have a good amount of time for
48 people to get used to that system before it's

1 mandatory.

2 And then the annual cycle of
3 requests for nominations, both for this group.
4 And if your term is ending at the end of this
5 year I'll try and touch base with you, as well
6 as the Shark Research Fishery and the shark
7 SEDAR pool.

8 We have a number of assessments
9 likely coming up that we'll want to make sure
10 the SEDAR pool is looking good.

11 So things we've completed. From
12 the previous AP meetings, your advice modify
13 the permit requirements for squid trawl
14 fishery, allowing the removal of tuna tail
15 lobes, completion of the time-area research
16 and production of the final report, the stock
17 status determination for scalloped hammerheads
18 and we've made progress at our first kickoff
19 meeting with the bluefin tuna census pilot
20 study in cooperation with Massachusetts.

21 All of these have been issues come
22 up at the AP meeting at different times, and
23 so we're proceeding with many of those.

24 Other suggestions that are
25 underway include dealer reporting, electronic
26 reporting on a real-time basis, catch shares,
27 adjustment of pelagic longline incidental
28 catch limits for bluefin tuna, working with
29 states and recreational tagging programs. In
30 addition to Massachusetts, there's also the
31 pilot program in Puerto Rico.

32 And landings update for billfish
33 was something that we had talked about a while
34 ago. We're considering posting that
35 quarterly.

36 Also under consideration. Many of
37 the permit-related suggestions, over time,
38 including reissuing lapsed permits, looking at
39 use or lose requirements, reopening hand gear,
40 permanently seeing gear-based permits, and the
41 swordfish general category permit ideas. A
42 lot of these issues, again, remain timely.

43 Conducting research in the Mid-
44 Atlantic bottom longline closed area, that
45 happens as part of our research fishery.

46 Changing the retention limit for
47 charter headboats, placards for nonshark HMS,
48 and then looking at electronic monitoring

1 technology for -- through pilot studies.
2 These are all things that we continue to think
3 about and investigate.

4 And so, this is something I
5 touched on at the last meeting. I wanted just
6 to reiterate some of the goals that I have for
7 all of us, are to -- all -- both the agency
8 and the Advisory Panel to be aware of the
9 issues, informed on what's going on, engage
10 constructively in the dialogue.

11 What we ask of you is to listen
12 and engage, share these ideas and the
13 discussions here back with your constituents
14 you are here representing, groups of folks
15 that couldn't be at the table and then,
16 sharing their ideas back with us.

17 And so, we commit to raise the
18 issues that we see with you, try and get the
19 word out as best we can to you and your
20 constituents, listen and engage
21 constructively, trying to move discussions
22 forward, make the decisions considering your
23 input and give you the feedback on what the
24 agency's decisions are, and ensure compliance
25 with all the domestic and international
26 requirements, whatever they may be.

27 And so, we're covering a lot of
28 ground, a lot of issues. I'm looking forward
29 to a productive meeting and really think we'll
30 have a lot to talk about.

31 At this point I could take some
32 quick questions, but Randy Blankenship is
33 going to be coming up and giving an update on
34 weak hook implementation and some very
35 preliminary results.

36 Before we turn to that, though, I
37 want to make sure that if you have any
38 comments or questions we -- on this
39 presentation we can fit those in.

40 MR. BROOKS: Please. Go. Go
41 ahead. Shana.

42 MS. MILLER: Could you speak a
43 little more about how the Massachusetts catch
44 card pilot study is going and whether it's,
45 you know, mandatory this year or what the
46 sampling is.

47 MS. SCHULZE-HAUGEN: Sure. We
48 actually have Ron Salz who will be talking in

1 depth this afternoon about that. The funding
2 this year came very late, and so we were
3 hoping to get it more off the ground this year
4 but weren't able to.

5 We've had the kick-off meeting end
6 of August so it's in the design phase but we
7 had, I think, a really good discussion, and I
8 think we're going to share that discussion
9 with you all and try and get some additional
10 feedback as we move forward with that pilot
11 study. It is not mandatory. It would be
12 voluntary at this point.

13 MR. BROOKS: Mark, and then over
14 to Elizabeth.

15 MR. STEVENS: So Shark Advocates
16 International, we submitted comments on the
17 rulemaking for the implementation if ICCAT
18 recommendations, but wanted to stress the
19 importance of implementing a full prohibition
20 on retaining oceanic whitetip sharks as the
21 ICCAT recommendation clearly refers to all
22 fisheries. Thanks.

23 MS. SCHULZE-HAUGEN: Yes. We can
24 talk some more about that if you'd like. One
25 of the reasons we implemented it as we did,
26 because of the authority of ICCAT is within
27 the ICCAT convention, and so trying to make
28 sure that our implementation tracks the
29 authority from which it stems.

30 MR. BROOKS: Elizabeth.

31 MS. GRIFFIN-WILSON: I second what
32 Mark said and would also add that we have
33 issues, as we explained in our comment letter,
34 on how the hammerhead recommendations were
35 implement, as well, and we think that it sets
36 a dangerous precedent for all the future shark
37 proposals and that any -- that it shouldn't be
38 based on whether or not you have a HMS species
39 on your boat, it should be based on
40 permitting, but you guys have all those
41 details so I won't go into a whole lot on
42 that.

43 I do have a question on the
44 porbeagle overage. That's definitely a
45 concerning number, and I'm curious as to what
46 happened there and how something like that can
47 be prevented in the future.

48 MS. SCHULZE-HAUGEN: Well, the --

1 one step in the right direction will be
2 electronic dealer reporting which will
3 increase the dealer reporting time frames.

4 Porbeagle quota is quite small,
5 and so it's not difficult in a short amount of
6 time to exceed that. It is one of the
7 challenges of -- of small quotas, and is one
8 of the reasons that moving to real-time
9 reporting is so important for us.

10 MR. BROOKS: Rich.

11 MR. RUAIS: Thank you, Margo.

12 It's clear, once again, you've been very busy
13 and thanks for the progress on the regulatory
14 amendment.

15 You know, we started that a long
16 time ago and at the time we started it the --
17 Georgia's fishery for the general category was
18 just in its beginning phases, and now it's
19 taken on for the -- I would guess, Ralph, the
20 third year in a row. Georgia's --

21 MR. PRATT: Second.

22 MR. RUAIS: Second year. Second
23 year. It's looking very promising and there
24 are many -- many people believe that we're
25 going to probably achieve the general category
26 quota as a result of that, but the increase in
27 the bag limit of five fish would make the trip
28 even more economic than it is now currently
29 under three fish.

30 Three fish makes it profitable,
31 but -- but for the risk that's being
32 encountered by some of the vessels and the
33 expense of traveling, in some cases, a 300-
34 mile round trip, the five fish would make it
35 a much more valuable trip, and more people
36 would participate in it than the boats that
37 are currently doing it now.

38 So, I was just wondering, you --
39 you've said that we were a couple of months
40 away, maybe, from the final-final rule on
41 that. Could you be any more specific? What's
42 -- what's tying it up this long?

43 We did pass the ESA - we got past
44 ESA, the CITES and all of that. Could you be
45 more specific on that? And I did have just
46 one follow-up.

47 MS. SCHULZE-HAUGEN: Well, part of
48 it, Rich, is just the number of actions that

1 had to be done implementing ICCAT
2 recommendations. You know, some of those
3 dates are, you know, pretty important to meet,
4 and so it's a workload, and that's -- with
5 some of these actions now completed is why
6 we're able to turn back to the reg amendment.

7 MR. RUAIS: Okay. So it looks
8 like you're not going to make it for this
9 year. I mean, you're not going to make it for
10 this season by -- by October? It's clearly a
11 November, December type finalization of that
12 rule?

13 MS. SCHULZE-HAUGEN: I would
14 expect that, yes.

15 MR. RUAIS: Yes. Okay. The
16 second question was, and maybe Brad can help
17 out on this one. The -- just before many of
18 us packed up and came down here, we got the
19 update on the catches for all of the
20 categories, the August 31st report which came
21 out September or was signed, anyways, on
22 September 19th.

23 I mean, obviously, we know by
24 being -- having you up in Gloucester and Sarah
25 that we can easily get an update by calling
26 you and getting -- getting close to that date.

27 Is there any way the other
28 categories are able to do that, or is it only
29 the general and harpoon -- it really is only
30 -- I guess I know the answer. It really is
31 the general and the harpoon category that you
32 have sort of a -- almost a weekly, pretty good
33 feel for where the quota stands in the other
34 categories, the longline and angling
35 categories sort of lag substantially behind
36 that. Would that be a fair characterization?

37 MS. SCHULZE-HAUGEN: You need to
38 get into a mic.

39 MR. McHALE: The information that
40 we're using to populate those reports are
41 actually all derived from the commercial sales
42 of bluefin tuna. So, regardless of the
43 category that's actually catching that fish,
44 those numbers are still held to the 24-hour
45 reporting requirements so whether it's a
46 harpoon, general, longline, pursing fish --
47 heck, even a trap-caught fish.

48 Those are the numbers that are

1 being displayed in those reports. So, it's
2 not necessarily the category that's landing
3 the fish, it's as those dealer reports come
4 in, that's how we tabulate it.

5 MR. RUAIS: Okay. But I guess
6 what I -- you said no, but in effect it's
7 partially correct because the angling
8 category, there is no sale. You're dependant
9 upon a survey to know where the catch is.

10 And in the longline category, the
11 trips are obviously three to -- two to five
12 weeks long, however long you want to pick.
13 So, before the sale takes place you've got a
14 five-week -- potentially a five-week lag in
15 the amount of time before you can update those
16 landings.

17 So, anyways, my question was, the
18 harpoon and the longline category have
19 achieved the highest proportion of their quota
20 to date of any categories or the two -- of the
21 five categories that we have this year.

22 In regards to the longline
23 category, is there any intention on -- and
24 recognizing that this doesn't count discards,
25 this counts landed fish that are -- that are
26 sold and you're at 54 tons of whatever the
27 total quota is.

28 Is there a plan on using any
29 projections like you do in some of the other
30 categories, projections of catch rates, past
31 catch rates, waves in the case of the angling
32 category to look at the pelagic longline and
33 build some kind of a proposed catch rate when
34 you know that quota will be achieved, or are
35 you going to wait till you actually have the
36 sales identification on the card which, of
37 course, by that time the category could be
38 substantially over its landings quota?

39 And that has been the history of
40 the thing. So we not only have the added
41 discards, but we have -- we have substantial
42 exceeding of the quota, the final adjusted
43 quota plus we have the discard problem that's
44 tallied on to the US tack as well.

45 So, the question was: Is there
46 any projection capability?

47 MR. McHALE: If my memory serves
48 me -- let me get back to the first point you

1 made. You are correct. The recreational
2 numbers are based on a survey methodology,
3 although we have census programs in Maryland,
4 in North Carolina, and we're embarking on one
5 in the Commonwealth of Massachusetts,
6 typically we don't get those numbers till the
7 end of the year.

8 So, you are correct. My comment
9 was solely based on the commercial fishery
10 numbers.

11 The second point you had brought
12 up is whether the trip duration impacts when
13 we actually receive that information, and that
14 is also correct, that we do collect that
15 information on point of offload.

16 And so that's -- regardless of
17 whether it's a two-day trip or a three-day
18 trip to George's for a general category or a
19 four-week trip for a longline vessel, it's a
20 point in landing.

21 In regards to looking into the
22 crystal ball and trying to figure out, you
23 know, when a particular category may reach its
24 landings quota, we do that for all the
25 categories that -- we look at past trends,
26 like the slides that I'll be presenting over
27 the last couple of -- or over the next couple
28 of days, we'll be looking at, you know, all
29 sorts of data and try to project that as best
30 we can.

31 Sometimes it is a little easier on
32 landings information versus just catch
33 information. You can cull through logbooks
34 and observer reports, that that's a little
35 tougher dynamic to get at, but we do that just
36 like I've done for the harpoon and general
37 categories, you know, looking at weather
38 patterns, looking to see what's taking place
39 on the grounds, and then trying to forecast,
40 as best we can.

41 But when we think we're really
42 starting to approach that quota and thereby
43 trying to take an action to head it off.

44 MS. SCHULZE-HAUGEN: Yes. I'd
45 also add that, in terms of discards, and the
46 need for flexibility, that's part of the
47 reason we have the reserve, and we put half of
48 our carry-forward into the reserve this year

1 for some of those reasons.

2 And just to clarify, too, what we
3 look at is -- in terms of the criteria for
4 action, is laid out in our regulations.
5 There's, I think, eight criteria that we look
6 at, so we look at that for all.

7 MR. BROOKS: Thanks, Margo.
8 Thanks, Richard.

9 I've got about four people in the
10 queue. I've got Mark, then Rom, then over to
11 Carol, and then to Gerry.

12 So, Mark.

13 MR. TWINAM: I am Mark Twinam.
14 I'd just like to say I'm very disappointed
15 that they followed the ICCAT recommendations
16 on hammerhead shark, and I find it hard to
17 believe that in 2011 we're going to add to the
18 fish that can be thrown away and not kept.

19 I can't argue the science about
20 the hammerheads because I don't know, but I
21 can tell you from personal experience over 30
22 years of longlining and catching hammerheads,
23 more or less the same rate I always did.

24 And I won't argue the science.
25 They might know more than I do, and that's --
26 that's good, but not having a provision in
27 there where, if you had an observer on board
28 and the observer could determine that the
29 shark was dead, you should be able to retain
30 and sell that shark.

31 And the reasoning is behind it,
32 they say, well, they don't want to put the
33 observer in the position of making the
34 determination whether the shark is dead or
35 not, and it's just not a good-enough reason --
36 not a good-enough reason at all to throw that
37 fish back.

38 And I can only assume that if it's
39 true now in the pelagic fishery that it's
40 going to go to the bottom fishery also. And
41 it's a lot of -- most of the hammerhead sharks
42 in both the fisheries, when you catch them are
43 dead.

44 Most sharks are alive, but there
45 are certain species, blacktip, spinners and
46 hammerheads come to mind right off the bat,
47 that die early on a longline.

48 And so you bring up this fish and

1 the hammerhead generally causes you some pain
2 by snarling your line and making a mess, and
3 so now you could have some benefit, maybe \$200
4 worth of fins.

5 And I'm sure there's people in the
6 room that cringe talking about fins being
7 taken from a shark and sold, but these animals
8 are prized fins in China, in Hong Kong and, as
9 the years go by, Chinese money is going to be
10 worth -- going to get stronger than American
11 money, I think, and they're very, very
12 valuable if you can get \$200 worth of fins off
13 one shark.

14 And if you could let the shark go
15 alive, I'm all for it. If the shark is dead,
16 to throw the fin back and waste the \$200
17 which, to me, over maybe just 20 sets in the
18 last five months will be about \$5,000 worth of
19 lost income.

20 I can't believe that in 2010 that
21 you're treating the fishermen that way. So --

22 MS. SCHULZE-HAUGEN: To that,
23 tomorrow we will be going through some of the
24 science on the scalloped hammerhead, and so I
25 would encourage you to kind of bring up some
26 of the issues, particularly as we move forward
27 into a catch share type program.

28 These kinds of considerations are
29 ones that we should be thinking about.

30 MR. TWINAM: Do you think that, I
31 mean, it's possible that in the future we
32 could -- if you had an observer on board and
33 the shark was alive you could keep it? Is
34 that what we're going to be talking about?

35 MS. SCHULZE-HAUGEN: I think there
36 is potential to talk about that kind of an
37 approach. ICCAT recommendation is -- stands
38 until changed. But, in terms of the general
39 fishery and the approach, that kind of thing
40 is something we could talk about.

41 MR. TWINAM: Thank you.

42 MR. BROOKS: Rom.

43 MR. WHITAKER: Yes. I just had a
44 question in reference to page 16 on tournament
45 updates. And, in the top line it said 2010
46 tournaments, all species, 269, I'm assuming
47 that's talking about blue marlin, white marlin
48 and sails?

1 MS. SCHULZE-HAUGEN: And tunas and
2 sharks. It's all HMS.

3 MR. WHITAKER: All HMS. Okay. I
4 thought it was just talking about billfish,
5 because I know we were at a 250 cap, right,
6 for blue and white marlin?

7 MS. SCHULZE-HAUGEN: This is
8 tournaments registered, not fish landed.

9 MR. WHITAKER: Okay.

10 MS. SCHULZE-HAUGEN: Fish --

11 MR. WHITAKER: Oh, okay.

12 MS. SCHULZE-HAUGEN: -- landed is
13 here. You're right. 250 blue and white
14 marlin, combined per year. I think you can
15 see for '09 and '10, those numbers are final.
16 We are well below that limit and on track to
17 be well below in '11 as well.

18 MR. BROOKS: Thanks. Carolyn.

19 MR. BELCHER: Margo, I was just
20 curious where HMS is relative to the Magnuson
21 requirement for the ABC and the ACL's or those
22 species that are in the management plans.

23 MS. SCHULZE-HAUGEN: If you
24 remember, there is an international exemption
25 for stocks under international management, so
26 many of the HMS fall into that category and
27 for sharks that don't, we have implemented
28 Amendments 2 and 3 to meet the requirements of
29 the ACL and ABC requirements.

30 MR. BROOKS: Gerry.

31 MR. LEAPE: I have a question.
32 Even though -- sorry. Even though they are
33 exempted under the Magnuson Act, I was just
34 wondering if you've made a determination as to
35 how far they actually are from meeting the
36 requirements if they were brought in under the
37 Magnuson Act.

38 MS. SCHULZE-HAUGEN: Well, in some
39 fisheries I think we are very close. Like our
40 Bluefin tuna fisheries, we have real-time
41 reporting. For the commercial landings we
42 have the surveys and other methods, you know,
43 for discards and recreational landings.

44 I think we have a pretty good
45 track record of staying within our limits.
46 The scientific process includes consideration
47 of uncertainty. So, I think many of the
48 elements are quite similar.

1 They don't, certainly, use the
2 same terminology, but -- but again, the
3 statute is fairly clear.

4 MR. LEAPE: Now, the statute is
5 clear, and I'm not -- we're not arguing that
6 you are out of compliance with the statute,
7 just as a matter of information, it would be
8 interesting as to how far we were from
9 complying with those limits if those stocks
10 were brought in under the same restrictions.

11 A few other quick points. One,
12 I'd like to agree with Rich in his -- what I
13 heard, his sort of urging for -- to work for
14 more timely reporting from the longline
15 fishery.

16 I mean, as we've seen the trend in
17 those, it's increasingly important that we get
18 real time information to try and get a handle
19 on this, the growing problem.

20 Back to sharks, we've got -- on
21 the point that Elizabeth made on porbeagles,
22 what I heard from your response was that, "Oh,
23 it's a small quota, and so those things
24 happen."

25 Well, from my perspective and the
26 groups we work with, a smaller quota means to
27 us is, usually symptomatic of a species that
28 is more vulnerable.

29 And so, the smaller quotas, and
30 sometimes are even more important to make sure
31 that you've got good enforcement and
32 accountability and the adherence to those
33 quotas.

34 And finally, just wanted to
35 support Mark and -- from the Pew perspective
36 and the groups we work with, we've got
37 significant concerns about the narrow scope of
38 the final shark group under our cap.

39 MR. BROOKS: Thanks.

40 MS. SCHULZE-HAUGEN: And specific
41 to porbeagles and the -- the electronic dealer
42 reporting which will move to much more timely
43 reporting, I think, will be tremendously
44 helpful in managing those small quotas.

45 Right now the paper-based systems
46 with the lags makes small quotas very
47 challenging. But, just to remind you, we do
48 have accountability measures that's, you know,

1 exceedences are accounted for in the following
2 year, and so I think they're -- we are aware
3 that small quotas are challenging but also
4 very important to manage well.

5 So, I think we have some measures
6 in place to do that.

7 MR. BROOKS: Thanks, Margo.

8 I've got Rusty, Tom, and then I
9 think that's Rick's card. Is that right.

10 MR. HUDSON: Rusty Hudson. To
11 Mark's point about the scalloped hammerhead
12 issue, I submitted a comment on May 31st, and
13 I really have a problem with Table 2 on page
14 three of the 12-page stock assessment, as it
15 is known by Chris Hayes, et al.

16 But, in reality, that whole table
17 is driven by five years of MRFSS data, in
18 particular, and if you round that down,
19 because that spikes -- those spikes in the
20 early Eighties seem to constantly occur in
21 every fishery that SEDAR has been managing as
22 far as assessing.

23 And so, really, it's, at best, a
24 trends analysis. And normally, as I thought
25 HMS's role with SEDAR was, is that SEDAR would
26 be doing the stuff for large and small coastal
27 sharks.

28 In this case, this came out from
29 the sidelines, something that SEDAR had
30 actually voted in the previous steering
31 committee meeting, not to accept outside stock
32 assessments because golden crab is one of the
33 things that was being hung out there.

34 And so, with this being accepted,
35 we have a real issue with this because it --
36 it's just not right. In those same years that
37 you got 20 and 40,000 scalloped hammerheads
38 being killed by the recreational, you have one
39 and zero and stuff like that from the
40 commercial.

41 It's just ludicrous because I had
42 guys that would bring in thousands from the
43 commercial angle. So, you don't have those
44 numbers in here correctly.

45 This, in the old days before
46 SEDAR, we would have only had this as an extra
47 document in a stock assessment, not as a
48 stand-alone stock assessment that's going to

1 ruin a lot of people's lives. So, that's the
2 end of that.

3 MS. SCHULZE-HAUGEN: Just a couple
4 of points. We did have the Southeast Fishery
5 Science Center review this for appropriateness
6 as the basis for domestic management, and so
7 it did go through, in addition to the peer
8 review, an additional layer of review for
9 management.

10 And the other point that we'll be
11 hearing about this afternoon as well, specific
12 to MRFSS, there is the Marine Recreational
13 Information Program that includes a re-
14 estimation process to account for some of the
15 biases identified in the National Research
16 Council paper.

17 And so, some of those numbers may
18 be going through that. MRFSS is certainly part
19 of that, and so we'll be hearing an update on
20 that this afternoon.

21 MR. HUDSON: Just a quick comment.
22 To that effect, we don't have an SSC like we
23 do on the council level to review this stuff,
24 so it's still in-house with NMFS.

25 And as far as MRIP, there's been
26 some coding issues. It was supposed to have
27 been able to look back at least to 2003 or
28 four and see if MRFSS and MRIP, see what the
29 differences are.

30 Now it was put off till November.
31 Now it's been put off till spring of 2012, so
32 we really don't know what MRIP's going to do
33 to assessments, to future comparisons.

34 MR. BROOKS: Tom.

35 MR. DePERSIA: Just a quick
36 comment. The -- there was a lot of confusion
37 when the announcement came out of closing the
38 trophy category, the trophy season for the
39 angling category in the north.

40 A lot of my customers called and,
41 you know, who had booked giant tuna trips,
42 concerned that the -- the giant category was
43 completely closed. Perhaps in the future
44 there could be a little more explanation as to
45 what it means, just so we don't get the same
46 confusion again.

47 MS. SCHULZE-HAUGEN: What it means
48 in terms of what the regulations are?

1 MR. DePERSIA: Well, they thought
2 that the -- the general category was
3 completely closed, in other words, you
4 couldn't catch a giant anymore even though it
5 was just a trophy fish for the angling
6 category that was being closed.

7 MS. SCHULZE-HAUGEN: Okay. Well,
8 if you have specific suggestions on maybe
9 where that confusion was coming from, either
10 our documents or websites, happy to look at
11 that.

12 MR. DePERSIA: Okay.

13 MR. TAYLOR: My comment is also
14 directed towards Mark about the hammerheads
15 which in and by themselves are an issue, but
16 I think that demonstrate a greater problem for
17 the fisherman.

18 We're shark dealers there in South
19 Florida. Our season opened July the 15th.
20 Essentially, the sharks that are allowed to be
21 retained at this point are very limited and
22 the ones that we can retain generally are not
23 in the area that time of the year.

24 The hammerheads now being excluded
25 are essentially akin to removing the
26 commercial sector from the South Florida area.

27 We, as a company, actually made a
28 decision this July, because of the public
29 outrage about the fact that there's very
30 little value in the meat itself for the
31 hammerheads, to decide not to take them, and
32 the fleet essentially that was fishing for us
33 left the State of Florida and went up to
34 Georgia to fish for the blacktips and bull
35 sharks that are migratory and follow the fish
36 up there.

37 So, you know, these decisions in
38 and by themselves, you know, are significant
39 to individual fishermen, but I think it poses
40 a greater issue as to really where we're going
41 with the allowable issues with these -- with
42 this commercial sector of shark fishing.

43 MR. BROOKS: Thanks. I don't think
44 I see anyone else in the queue, but we have
45 another presentation. Right?

46 MS. SCHULZE-HAUGEN: We do. So,
47 I'm going to ask Randy to come up. Randy was
48 the lead for the weak hook rule. We have some

1 very preliminary information, but it's
2 interesting, nonetheless, and so we wanted to
3 share that with you.

4 MR. BLANKENSHIP: Good morning. I
5 wanted to provide this, a little bit of an
6 update on implementation, and the little bit
7 of preliminary information that we have
8 related to weak hook -- the weak hook
9 requirement in the Gulf of Mexico pelagic
10 longline fishery.

11 There are a few of you that are
12 new faces around here, and so I'll give you a
13 -- just a brief bit of background on this.

14 For purposes of this discussion
15 and this rule, a weak hook is a hook that
16 meets the existing requirement for a circle
17 hook in a pelagic longline fishery. However,
18 a weak hook is made from thinner wire than was
19 previously required, and that thinner wire
20 allows the hook to bend more easily and
21 potentially straighten when a large fish that
22 pulls hard is caught.

23 And the intent of this was to
24 reduce the catch or the incidental catch of
25 bluefin tuna in the Gulf of Mexico.

26 The weak hook rule required this
27 weak hook in the Gulf -- in the tuna longline
28 -- for tuna longline permitted vessels in the
29 Gulf of Mexico.

30 The final rule published on April
31 5th and went into effect on May 5th, so it's
32 been in effect a little bit longer than four
33 months at this point in time.

34 To assist with implementation, the
35 National Fish and Wildlife Foundation
36 developed a voucher program whereby Atlantic
37 tuna longline holders using pelagic longline
38 gear in the Gulf of Mexico were able to obtain
39 an initial supply of weak hooks.

40 The National Fish and Wildlife
41 Foundation mailed 49 vouchers to permit
42 holders in the Gulf of Mexico that fished in
43 2009 and/or 2010. Of those 49 vouchers, 43
44 vouchers were redeemed, which amounted to an
45 87 percent redemption rate.

46 Now, the Gulf of Mexico pelagic
47 longline fishery information is just beginning
48 to come in on this, and so we were able to

1 obtain very preliminary information. This
2 amounts to, in this slide, summary information
3 very early on from observers on trips that
4 were targeting yellowfin tuna in the Gulf of
5 Mexico.

6 And this is a chart of catch
7 rates, number of fish per 1000 hooks, and
8 comparing the numbers, on average, from 2005
9 to 2009, during the months of May to June with
10 the months of May to June in 2011.

11 What this shows is that, for
12 bluefin tuna the catch rate reduced from .468
13 to .264. For yellowfin tuna in increased from
14 7.53 to 16.88. This very preliminary
15 information, at least initially, shows that
16 the intent of the rule to reduce bluefin tuna
17 catch is occurring.

18 It also shows that this has been a
19 very good year for catching yellowfin tuna in
20 the Gulf of Mexico.

21 One thing I want to point out,
22 that this preliminary information, in 2011, is
23 from a much lower effort than has occurred in
24 previous years. In fact, the number of hooks
25 that were set, this represented here is about
26 22 percent of what it is in previous years for
27 these same months.

28 So, there was lower fishing effort
29 in the Gulf of Mexico this year. And I'll get
30 into a little bit of that in just a second.

31 I wanted to also share with you
32 some very preliminary information from our
33 dealer landings data related to swordfish.
34 And this particular chart is of the percent of
35 total landings represented in different weight
36 classes.

37 So, if you'll look, the arrows
38 point to the bar for 2011, and this gives kind
39 of a visual comparison with 2009, 2010 and
40 2011 in the different weight classes, so this
41 is the proportion of these different --
42 representing each weight class.

43 The graph shows that in 2011 the
44 fleet in the Gulf of Mexico was landing a
45 larger proportion of larger swordfish compared
46 to 2009 and 2010. This chart does not provide
47 information about overall landings, just the
48 numbers or overall landings in general. This

1 is the proportion among different weight
2 classes.

3 Now, what we have heard
4 anecdotally from some Gulf of Mexico pelagic
5 longline fishermen is that some of them have
6 initially been dissatisfied with the weak hook
7 rule particularly because they noticed a lot
8 of straightened hooks and fishermen tend to,
9 when they see straightened hooks, you know,
10 say that those represent lost money fish,
11 which may or may not be the case.

12 But certainly visually for them,
13 that's what they were interpreting that as.
14 And then they also feel like they've -- that
15 large swordfish catch is reduced. Now, this
16 graph doesn't bear that out but anecdotally
17 that's what we were hearing.

18 Now, going back to the reduced
19 fishing effort in 2011, early in 2011, some
20 vessels were not fishing, and this may have
21 been due to several different reasons, one of
22 which we've understood, and particularly in
23 Louisiana, that some of those vessels did not
24 leave the dock because they didn't want to
25 jeopardize any pending claims that they may
26 have against BP.

27 And, as time went on, as the
28 months went on, particularly when it got into
29 July they started to see that there was some
30 success being experienced by vessels fishing,
31 and they geared up and went fishing and, in
32 fact, our VMS records and anecdotal
33 information bears that out, that in July many
34 of those vessels started fishing.

35 And so, a lot of what we have seen
36 so far in this preliminary information is not
37 coming from that time period when they really
38 started going out and started fishing. This
39 is from May and June when a lot of those
40 vessels were still tied up.

41 So, we recognize that this bit of
42 information, this early observer information
43 and this little bit of landings data that we
44 have only represent a very small part of the
45 picture and, certainly, it's a very early part
46 of the picture, and we will continue to
47 analyze and consider the information as it
48 comes in.

1 One thing I want to remind you, as
2 we've mentioned previously, that the National
3 Marine Fishery Service Pascagoula lab is --
4 will be conducting additional weak hook
5 research this next year, using hook timers and
6 time/depth recorders, particularly to help
7 understand how long fish are staying on the
8 hook before they are released.

9 And with that very brief, and
10 quick update, we can take some questions if
11 you want.

12 MR. BROOKS: Thanks.

13 Any questions?

14 MR. PRATT: In numbers of fish,
15 how many bluefin tuna were discarded in the
16 Gulf of Mexico in 2011?

17 MR. BLANKENSHIP: In the
18 preliminary information I have, I don't have
19 that particular number. I can probably try to
20 track that down if we have it.

21 Like I say, we were working here
22 with summaries from the observer data.

23 MR. PRATT: Thanks.

24 MR. BROOKS: Larry.

25 MR. ABELE: Do you know the
26 percentage of all of the hooks used that came
27 back straightened out?

28 MR. BLANKENSHIP: At this point in
29 time, no. Early on -- well, what we have done
30 is, we requested that the observers actually
31 keep tabs on numbers of straightened hooks
32 that they've observed, but that is not
33 available to us yet in the early summaries.

34 MR. BROOKS: Terri.

35 MS. BEIDEMAN: I, too, also have
36 heard information about the rubber hooks as
37 they were referred to me about a lot of
38 straightened-out hooks. It would be fabulous
39 if this bears itself out after a lot more
40 implementation and we, you know, continue to
41 say that when the spawning season is over,
42 people should be able to use any kind of legal
43 hook that they can.

44 I also would be interested in
45 knowing how many hooks were straightened out
46 and give some indication, not necessarily of
47 species at this point, but percentage of large
48 something that was on the hook.

1 And I'm wondering about when you
2 put things in terms of percentage rather than
3 numbers, sometimes, because what's landed
4 isn't always reflective of what's caught. So,
5 I also heard that many of them stayed put
6 until BP issues were a little more clarified.

7 So, hopefully things will get back
8 to some kind of normal if we don't have any
9 more circular storms down there, and we'll get
10 to see, but this is encouraging if, in fact,
11 it bears itself out over some period of time.
12 So, thank you for that.

13 MR. BROOKS: Good. Thanks.

14 MS. PEEL: A question on the same
15 vein that a few others have. On the numbers
16 on white marlin, it -- page 18 is after the
17 questions section, the slide that includes the
18 percent, at least on some of ours that are
19 stapled.

20 Can you provide us, before the
21 meeting is over, the numbers on white marlin?
22 Unfortunately, they were high in percent last
23 year, and this is a further increase of over
24 50 percent. So, could you try to get those
25 numbers, please.

26 MR. BLANKENSHIP: Yes. Certainly,
27 that's one species among many that we will be
28 playing close attention to, and it was one
29 interesting finding from the research was what
30 happened with -- it was mind-boggling but, you
31 know, what happened there. And we'll be
32 looking at that very closely.

33 MR. BROOKS: Shana.

34 MS. MILLER: I have a few
35 questions, so bear with me, please.

36 I agree with Terri that the
37 yellowfin tuna catch rates are encouraging and
38 I was wondering whether you had a size
39 distribution similar -- no?

40 Because, that would be interesting
41 to see if they're smaller or whether it's a
42 similar size distribution.

43 And also, you had said that only
44 22 percent of hooks were fished in 2011. Is
45 that observed hooks, because you have this
46 CPUE, you have on observed trips, so I was
47 curious whether the 22 percent of hooks, those
48 were just observed hooks and what kind of

1 observer coverage there was in 2011 during
2 that May to June period.

3 MR. BLANKENSHIP: Well, during the
4 May to June period is the time period when the
5 observer program is working on enhanced
6 observer coverage. I do not know whether it
7 was 100 percent or not. I do not know the
8 answer to that part.

9 What was provided was that the 22
10 percent was observed hooks, and it was 22
11 percent of the number of hooks that were
12 fished in 2009 and 2010 on observed trips.

13 So, in regard -- I don't know what
14 the coverage level was. I know that from
15 those years, or over these years, including
16 this last season, and it was all during the
17 enhanced observer coverage, and so it
18 represents a large portion of -- if -- a large
19 portion of the trips.

20 MS. MILLER: Yes. I guess my only
21 point is that if it's 22 percent of hooks
22 fished on observed trips, and your number of
23 observed trips is lower because the enhanced
24 observer coverage had been scaled back, then
25 it's not a --

26 MR. BLANKENSHIP: No, it's not
27 because of that. It's the lower, because
28 there was less fishing pressure. There were
29 less -- there were fewer trips that were made.
30 There were fewer hooks being fished.

31 MS. MILLER: And then lastly,
32 you'd mentioned the hook timer and TDR
33 research which, you know, a number of us have
34 been encouraging, and I thought that was
35 happening in 2011, and so I'm just curious why
36 that was delayed and if it's definitely going
37 to occur in the spring of 2012.

38 MR. BLANKENSHIP: That research is
39 being done through the Pascagoula lab, and it
40 was planned to try and start this last year
41 because, I think, part of the main reason why
42 it didn't happen as early as they had hoped
43 was because of the budgetary process within
44 the Federal Government and getting contracts
45 let in time. And so, that didn't happen this
46 year, and it is planned for this next year.

47 MR. BROOKS: Mark, then back over
48 to Terri.

1 MR. TWINAM: I thought during that
2 time it was a hundred percent observer
3 coverage. I'm not sure, but I was curious --
4 I made a sword trip and had an observer on
5 there and I didn't even pay attention to how
6 many hooks I had straightened, but is that
7 part -- was that part of their job, to count
8 how many hooks that were straightened?

9 MR. BLANKENSHIP: My understanding
10 is initially, after implementation this year,
11 that the observers may not have all been
12 recording straightened hooks, however we made
13 the request and the Pascagoula lab made the
14 request for them to do that and highlighted it
15 and they have begun to do that so that -- and
16 there is not a -- not a particular place on
17 the form for them to check it.

18 They do it in the comments, is my
19 understanding and so, yes, they are supposed
20 to be doing that now, I think.

21 MS. BEIDEMAN: Just a question.
22 You said that 22 percent of the effort -- that
23 was your estimate of 22 percent of the effort
24 compared to 2009 and 2010, in May and June?

25 MR. BLANKENSHIP: Yes.

26 MS. BEIDEMAN: Okay. Well, I
27 would say that probably in May and June of
28 2010 there probably wasn't a lot of actual
29 fishing going on because that's when the spill
30 was going on.

31 MR. BLANKENSHIP: Yes.

32 MS. BEIDEMAN: So I would say
33 that's kind of skewed -- it is what it is but,
34 you know, just -- just for that.

35 And just because I hadn't made it
36 all the way to the back of the hand-out.
37 Swordfish retained for sale, minus negative
38 41.2 during these years of -- three years of
39 research.

40 Certainly it seems to contradict
41 your other table, so I'd be very surprised if,
42 you know, how that all comes out. But, you
43 know, when you count fish and you're actually
44 able to retain 41 percent less on account of
45 these hooks, that's a pretty big hit. It's
46 amazing anybody wants to go fishing in the
47 Gulf of Mexico. Thanks.

48 MR. BLANKENSHIP: Yes. To that

1 point, the over 40 per cent reduction from --
2 that was found -- one of the findings of that
3 study, technically was not statistically-
4 significant.

5 It was one of the things that we
6 discussed and pointed out in the rule and the
7 other part that I'll say is that the
8 information that we've got right now is very
9 preliminary, very early.

10 And, in addition, the chart that's
11 here really doesn't speak to a reduction in
12 overall landings or swordfish kept. What this
13 does is it shows the proportion, the
14 distribution of those fish among the different
15 weight classes.

16 This does not tell you overall
17 landings. And it is only part of the picture.

18 MS. SCHULZE-HAUGEN: So, just to
19 highlight the point here, this is extremely
20 early in the implementation, and so we're
21 trying to get you the information we can, but
22 then -- and all the questions coming in are
23 great.

24 They will guide us in what you are
25 interested in, ways to look at the information
26 as we move in time. But, please understand,
27 this came in like Friday afternoon when we'd
28 been asking the scientists to get us what they
29 could. So, it is very, very early.

30 MR. BROOKS: We have time for, I
31 think, one last question.

32 John.

33 MR. GRAVES: To that point, Margo,
34 when you do put these preliminary studies in
35 and when you're using percents, as bycatch
36 species are often rare events, it might help
37 the group to understand the importance of your
38 percentages if you put in some sample sizes
39 because, if you're taking the difference
40 between 10 and 20, call that, you know, a 50
41 percent reduction, it might be nothing.

42 So, it would maybe help the
43 audience here interpret the significance with
44 sample sizes.

45 MR. BROOKS: Great. These are
46 very constructive suggestions and follow-up
47 questions. So, thank you.

48 At this point I think we want to

1 shift to the next item on the agenda.

2 Is that right, Margo?

3 MS. SCHULZE-HAUGEN: Great.

4 MR. BROOKS: So, we want to start
5 looking at overview on the status of VMS and
6 eDealer rulemaking and, as well, we'll hear
7 about a summary of public comments received.

8 MR. CLARK: Good morning,
9 everyone. My name is Michael Clark. I work
10 at the headquarters with HMS, and I just
11 wanted to take this opportunity to give you
12 sort of an overview on some proposed
13 modifications to the VMS requirements in
14 Atlantic HMS fisheries.

15 Those of you that were here in
16 April, this is sort of following on with that,
17 and we have published a proposed rule, and the
18 time between our last AP meeting and I just
19 wanted to give you an update on that and some
20 of the comments that we received on the
21 proposed rule.

22 So just to -- so those of you that
23 may not be as familiar with the current
24 requirements, I just wanted to go over the
25 status quo for VMS use in HMS fisheries.

26 Currently all of the pelagic
27 longline vessels at all times in all areas are
28 required to use VMS if bottom longline gear is
29 on board. Particularly the fisheries
30 targeting sharks, they are required to use VMS
31 from January 1st to July 31st in the vicinity
32 of Mid-Atlantic closed area, basically between
33 Virginia and South Carolina, and then also the
34 shark gillnet fishery, in conjunction with the
35 Atlantic large whale take reduction
36 regulations are required to use VMS between
37 November 15th and April 15th in all areas.

38 When vessels are at sea they are
39 required to send a position report every hour
40 and they are required to start the VMS two
41 hours before leaving port. Currently we allow
42 the operators themselves, the vessel owners
43 themselves to install the VMS units.

44 So the VMS unit that is currently
45 being used by most participants in HMS
46 fisheries is the standard mobile transmitting
47 unit that -- a lot of people call them
48 pingers. There's two units, actually. There's

1 a Trimble and a Thrane to Thrane that are
2 being used by many participants.

3 The requirements went into place
4 in 2003 for the pelagic longline fishery, 2005
5 for the bottom longline and gill net.

6 Obviously we are limited somewhat
7 in some of the capabilities of these units.
8 They are simply able to provide position
9 reports, and that's it.

10 As of 2008, however, the Office of
11 Law Enforcement has changed their type
12 approval, or the types of VMS that can be
13 used. So, currently, if an existing EMTU unit
14 were to fail while at sea or at port, before
15 that vessel could go out again and fish again,
16 they would have to replace that with one of
17 the units that is now type approved by the
18 Office of Law Enforcement, and these are all
19 the enhanced mobile transmitting unit, VMS
20 units, and they have more expanded
21 capabilities than just providing the location
22 reports.

23 So, on the summer solstice, June
24 21st of this year, we published a proposed
25 rule to modify the requirements that are
26 currently in place for VMS and HMS fisheries
27 and require that all vessels that are required
28 to use VMS upgrade to these enhanced mobile
29 transmitting units.

30 They represent upgrades in several
31 different aspects, namely, the fact that they
32 can -- it's basically a small computer. It
33 can send and receive electronic messages and
34 it would allow fishermen the ability to,
35 before they leave port, to state exactly what
36 their target species is and what gears they
37 have on board. And, frankly, that can improve
38 some of the monitoring on behalf of which
39 regulations might apply to a particular vessel
40 at a particular time.

41 And in order to also ensure that
42 the installations are completed correctly,
43 because there has been sort of elevated
44 failure rates at sea with the current VMS
45 units, this proposed rule would also require
46 that the new updated units are installed by a
47 qualified marine electrician rather than the
48 operators, themselves.

1 So, to get into some of the more -
2 - some of the more specifics, as far as what
3 was in the proposed rule, two hours before the
4 trip while, you know, while at the dock,
5 fishermen would report their target fishery or
6 fishery species that they're going to be
7 targeting on a trip.

8 You can pick more than one. You
9 can add species set, you know, after you've --
10 after you've left port. And also the gear
11 type. I guess this is -- this is of primary
12 concern because, you know, again, most of our
13 time/area closures are gear-specific, so it's
14 helpful to know exactly what regulations would
15 apply to a particular vessel at any given
16 time.

17 The intent being that, you know,
18 obviously, the Office of Law Enforcement, when
19 they get these declarations would know exactly
20 what -- what gears are on board and,
21 therefore, what regulations would -- would
22 pertain to a vessel.

23 And then also, before -- before
24 finishing a trip, there would also be sort of
25 a hail-in provision where the vessels would
26 use these VMS units to basically just state
27 where they're going to land their product,
28 three hours before they intend to land.

29 There is, currently, even without
30 the proposed rule going -- being finalized,
31 and the law being changed, all HMS
32 participants are eligible for reimbursement to
33 cover the costs of the unit.

34 The reimbursement does not include
35 the communication costs or the installation,
36 however. It's \$3100 per vessel.

37 So, here's just a summary of some
38 of the expected economic impacts. Again, you
39 can see each column sort of pertains to the
40 specific fisheries that would be affected by
41 this proposed rule.

42 The pelagic longline fishery,
43 about 249 boats, shark bottom longline, we
44 estimate about 50 in the vicinity of between
45 Virginia and South Carolina, and then also the
46 shark -- the shark gill net vessels, around 30
47 boats.

48 You can see the units, themselves,

1 about \$3100. Installation, approximately \$200.
2 Position reports. Again, these are typically
3 about -- it depends on the provider, but about
4 eight cents apiece for the position reports
5 and the declaration reports.

6 We estimated the -- sort of the
7 maximum -- maximum possible economic burden
8 for a pelagic longline vessel to be about \$460
9 per year. The declaration reports, again,
10 typically you're doing two of these
11 declarations per trip, basically hailing out
12 and then hailing back in.

13 And you see the total compliance
14 costs there in the third column from the -- or
15 the third row from the bottom, and then again,
16 the -- subtracting the \$3100, the
17 reimbursement off, you come to your year one
18 compliance cost, which would basically be your
19 communication costs and your installation.

20 Subsequent years, year two and
21 beyond, no installation required, obviously,
22 but it's just your continued cost of sending
23 the position and the declaration reports.

24 Some of you might recall we did --
25 did have a presentation on this topic at the
26 April meeting, and I did hear -- hear from --
27 from some of the panel members about concerns
28 with existing service contracts, and we are
29 hoping to delay the implementation and sort of
30 give fishermen enough time to, you know, be
31 able to have their existing contracts, you
32 know, be completed before having to get into
33 a potentially new contract.

34 Also, there was some concerns with
35 regards to the maintenance cost of the units
36 and, again, from all reports we've heard, I
37 mean, these are sort of the norm now in some
38 of the Gulf and South Atlantic Fishery
39 Management Council managed fisheries,
40 typically less maintenance.

41 And, again, the two-way
42 communication provides an extra tool if you
43 are experiencing problems, then there's a way
44 that, you know, potentially that you could
45 work some of these issues out while at sea.
46 Again, advantages over the current requirement
47 with the pingers. They just simply provide a
48 location.

1 And then also people that have
2 participated or are participating in Council-
3 managed fisheries, whether or not they can
4 receive an additional unit, and I guess the
5 answer to that is that, you know, typically
6 one per boat, but obviously we want to make
7 sure if you're an HMS vessel that you have the
8 right type approved -- type approved EMTU VMS
9 unit for that particular vessel.

10 So just kind of running through
11 some of the comments we received. Again,
12 there was five -- five public hearings that we
13 had, you know, through -- between late June
14 and the first of August. Again, trying to
15 remind the agency that the implementation
16 should be at times of low fishing activity and
17 then also to give fishermen time to come up
18 with the initial \$3100 because, again, it's a
19 reimbursement, so fishermen would be required
20 to come up with that money up-front.

21 Some concern with some of the
22 smaller shark boats, that there might not be
23 enough room to fit the new VMS's on board.

24 Concerns with some of the more
25 remote ports or places that are further away
26 from a qualified marine electrician, some of
27 the -- you know, was some concern with our
28 estimates, maybe being a little bit low on
29 what -- on what those vessels might have to
30 pay to get the marine electrician out to their
31 area.

32 Requirements that all vessels
33 under 24 meters should have VMS, possibly
34 using other technology, cell phones, et
35 cetera, to do the declarations rather than
36 using VMS, the shorter trips, obviously, boats
37 that might only be out for two hours, how
38 would they, you know, be able to hail in three
39 hours in advance.

40 And then also the -- with the
41 specific comments with regards to a type
42 approved unit that's -- that's okay. In the
43 Gulf of Mexico this boat tracks unit. Got
44 some specific comments on that.

45 Patrick O'Shaughnessy,
46 unfortunately, was not able to make it to this
47 meeting today. He's the Southeast VMS program
48 manager down in St. Pete. If you have

1 specific questions about the program or the
2 enforcement end of things, and then again, if
3 you have any questions about the regulation
4 that we can't field here, please get in touch
5 with me as you wish. Thank you very much.

6 MR. BROOKS: Thanks, Michael.

7 We have time for just a couple of
8 quick questions on this before we move into
9 the eDealer update. Rich.

10 MR. RUAIS: Thank you. And thank
11 you, Michael. On the cost of the
12 transmissions, you used two figures. One was
13 eight cents, and on the paper it says \$1.44 a
14 day. Is the charge when you make a
15 transmission of your location, is it a
16 character, a per-character type charge or is
17 it just simply the minimum is \$1.44 to press
18 a button and send your GPS? How does that
19 work?

20 MR. CLARK: I think it depends on
21 which provider you go through but, you know,
22 yes, there are some that charge by the
23 character and, again, we'd -- you know, eight
24 cents, I believe is the Thrane to Thrane that
25 does the eight cents per transmission, but
26 yes, I think the Trimble might use a per-
27 character charge. But they are comparable.
28 We looked at both of them and it was roughly
29 the same amount per -- for purposes
30 estimation.

31 MR. RUAIS: Okay. Well, just as a
32 follow-up, I have had this conversation with
33 Margo earlier, in expressing a disappointment
34 that, you know, we didn't use this valuable
35 opportunity to increase the timeliness of
36 reporting of either bluefin discards or
37 bluefin or planned bluefin tuna landing so
38 that NMPS would have the same capability for
39 real time, or similar capability per real-time
40 reporting on bluefin.

41 And I'm wondering if there isn't -
42 - since the cost appears to be so low, and the
43 swordfish industry has a tremendous history of
44 voluntary cooperation with the industry
45 serving as research platforms and cooperating
46 on a lot of different fronts, if they -- if
47 there wouldn't be a -- either a subset or the
48 entire industry wouldn't participate, with the

1 cost being so low of providing when you're
2 mandated -- either on a daily or a, you know,
3 biweekly effort, just something that avoids
4 these four-week, three-week, four-week, five-
5 week lags in not knowing how many bluefin tuna
6 have been discarded by a boat or how many
7 bluefin are about to be landed by a boat when
8 it finally reaches port.

9 This seems like a very economical
10 way of doing that, and we're passing up a
11 golden opportunity to do it and maybe the
12 industry will volunteer to do it if asked.

13 MR. BROOKS: I've got Dave and
14 then over to Bob.

15 MR. CUPKA: Thank you. In regard
16 to the hail-in requirements, I'm assuming that
17 the destination would have to be a preapproved
18 destination that I guess the fisherman would
19 suggest and law enforcement would then
20 approve. Is that correct?

21 MR. CLARK: No. It's just going
22 to be where you're landing the product.
23 There's no approval at sea.

24 MR. CUPKA: So it doesn't have to
25 be to any specific preapproved site, it can be
26 --

27 MR. CLARK: No, sir.

28 MR. CUPKA: Any notice. Okay.

29 DR. HEUTER: Yes. Bob Hueter,
30 Mote Marine Lab. I understand in the Gulf of
31 Mexico that they've begun pilot studies using
32 full video monitoring of -- in the reef fish
33 fishery, where the boats would carry something
34 like four or five video cameras that would
35 show everything going on topside.

36 I've been surprised to learn that
37 the fishermen in the Gulf are somewhat in
38 support of this because it might eventually
39 allow them to do away with observers, having
40 to carry observers, so they can do everything
41 by video.

42 I just wondered what -- what HMS
43 division's thoughts were on this and whether
44 it's -- it would be the next wave for the HMS
45 fishery.

46 MS. SCHULZE-HAUGEN: It is
47 something that we've looked into and it's not
48 just in the Gulf, but there is a number of

1 places around the country that are using video
2 monitoring for different things.

3 In some cases they are using quota
4 monitoring for -- videos for quota monitoring.
5 I think in other places it's more for
6 monitoring number of sets, so an effort-based
7 -- and the information that we've heard,
8 again, from multiple regions is costs often
9 don't actually go down, and that the need for
10 people on the boats is unlikely to go away
11 completely for the biological sampling, for
12 distinguishing between very similar-looking
13 species, and that once you get to a quota
14 monitoring situation, it can actually be more
15 expensive to use videos.

16 So, it is something we continue to
17 consider. We're, obviously, actively engaged
18 in staying in touch with our partners across
19 the agency on -- on the experience they've
20 had, applicability at HMS, but I don't think
21 at this point it's an immediate next step for
22 us.

23 MR. BROOKS: We have got a couple
24 of you on the queue. I'm going to let Vince
25 jump in, then we're going to switch over to
26 the eDealer, and then if we have time, we'll
27 double-back to Rusty and Rom. Please.

28 MR. PYLE: Yes. Thank you. Yes,
29 my question or comment is why we didn't use
30 this opportunity to get some of our reporting
31 done, especially if we could eliminate the
32 paper reporting.

33 And it would be, you know, just so
34 much more timely and it would be real time.
35 Is there a specific reason why we didn't go
36 that route?

37 MS. SCHULZE-HAUGEN: The issues
38 addressed in this rulemaking have been ones
39 that have been under consideration for a
40 number of years, driven by the technical
41 issues, and so I think there is potential to
42 look at using VMS for reporting.

43 It broadened the potential scope
44 of this action significantly to include that
45 now, and because we wanted to make -- make
46 availability of reimbursement funds which are
47 not guaranteed year-to-year. It's an annual
48 appropriation.

1 We wanted to make sure that we got
2 that, our program in and got the upgrades, and
3 then that can be the foundation for possible
4 next steps, but we wanted to get this in place
5 as quickly as we could.

6 MR. PYLE: And the other, just to
7 finish the question, how many longline vessels
8 have monitoring systems? How many are there
9 in total?

10 MS. SCHULZE-HAUGEN: You're
11 talking pelagic?

12 MR. PYLE: Yes.

13 MS. SCHULZE-HAUGEN: I think our
14 estimate was 249 currently permitted.

15 MR. PYLE: 249 currently permitted.
16 And how many active VMS trips were there last
17 year by different longline vessels?

18 MS. SCHULZE-HAUGEN: I'd have to
19 look that number up. We have that. I don't
20 know it off the top of my head.

21 MR. PYLE: Anywhere --

22 MR. BROOKS: Yes, about 165, 166.

23 MR. PYLE: There's 216 --

24 MR. BROOKS: 165 trips.

25 MR. PYLE: No, I'm just trying to
26 get a correlation between permitted vessels
27 and actually-performed trips last year.

28 MS. SCHULZE-HAUGEN: About a
29 hundred less. The 249 permitted, 160 --

30 MR. BLANKENSHIP: 116.

31 MS. SCHULZE-HAUGEN: 116. One,
32 one, six. So, maybe half.

33 MR. PYLE: 116 vessels reported
34 one trip, minimum?

35 Other issues will include the
36 improvements to the access point angler
37 intercept survey that I spoke of that will
38 reduce sampler discretion, enhance statistical
39 precision, those to be implemented a little
40 bit farther down the road, probably next year
41 or early the year after on a coastwide basis.

42 Once we have the final report from
43 the North Carolina pilot, we'll be able to
44 complete our planning and our establishment of
45 the time lines more clearly.

46 We are also, as you might expect,
47 working on changes to the manner in which we
48 collect fishing effort data, using the

1 National Saltwater Angler Registry, and in
2 particular, the registries of anglers that the
3 many states are now providing to us, in
4 combination with other sample frames so that
5 we have a complete list of samples as well.

6 An expanded pilot of a new
7 methodology will be implemented beginning in
8 November in the South Atlantic Region based on
9 several years of comprehensive testing of
10 different dual-frame sampling approaches that
11 we've -- that we've made, and we expect that
12 that pilot will lead to coastwide
13 implementation in the Atlantic and Gulf Coasts
14 within the next year or so.

15 Having made these major
16 fundamental changes to our survey design for
17 the -- and replacing the old methods with the
18 new MRIP methods for data collection, both for
19 catch and effort, we'll set the stage for
20 enhancing precision of our estimates by
21 increasing sampling.

22 We'll be -- we need to do some
23 evaluation of the tradeoffs of the costs and
24 efficiencies of different approaches, but the
25 expectation is that we can do a better job of
26 meeting the manager's requirements for
27 establishing and managing catch limits by
28 instituting the new methodologies and then
29 increasing the precisions of the estimates we
30 generate with them.

31 Some other upcoming MRIP
32 activities that are in the mill and we'll be
33 reporting on shortly. We've been conducting
34 a pilot study of the implementation of trip
35 reporting and for-hire fisheries in the Gulf
36 of Mexico for a little for about the last
37 year.

38 The field work on that ended at
39 the end of August. The project team is now
40 evaluating the data from that, and we expect
41 a project report this fall with conclusions
42 and recommendations about the feasibility of
43 more broadly implementing the trip reporting
44 process for for-hire fisheries, and that --
45 associated with that is the possibility of
46 electronic reporting and there were some
47 electronic reporting options that were
48 incorporated into that study design, as well

1 as the need for independent validation of the
2 reported data, which was done in that instance
3 by shoreside port sampling by the intercept
4 survey teams in Florida and Texas.

5 Earlier this year we held a
6 timeliness workshop that investigated
7 different methodologies for improving the
8 timeliness of the receipt of preliminary
9 estimates which we now receive for the MRFSS
10 program 45 days following the end of a two-
11 month sampling interval.

12 There's a lot of interest in
13 producing estimates closer to the time that
14 the fish are caught in order to facilitate
15 tracking of fish and projecting of catch for
16 in-season management under the new annual
17 catch limit and accountability requirements.

18 The -- fairly soon here, there
19 will be a project report out from that, and we
20 do anticipate the possibility of moving to a
21 shorter sampling interval and a more timely
22 reporting of preliminary estimates, based on
23 what finally emerges in the FY12 budget.

24 The President's FY12 budget
25 request did include \$2 million of increase
26 that was targeted at reducing the sampling
27 waves in the reporting interval and so far
28 that's survived both the House and Senate
29 review.

30 If it ends up in the final budget,
31 then we'll be positioned to begin doing that
32 at the end of next year.

33 One of the other sources of bias
34 that has not yet been addressed in the changes
35 we're making to our intercept survey design is
36 the fact that we are unable to access trips
37 that return to private access locations.

38 So, our -- fundamentally, our
39 surveys embrace the assumption that catch
40 rates for trips that return to private access
41 are equivalent to catch rates that return to
42 the public access sites that we can sample.

43 We suspect, and the NRC suspected
44 that that might not be the case, and so we
45 have initiated studies using angler panels in
46 North Carolina and Florida to try to better
47 understand the differences that may occur in
48 angler catch rates in these two instances, and

1 then, depending on the outcome of that study,
2 to either expand or modify our -- our panel
3 survey coverage to better account for any
4 differences and the resulting biases.

5 Also up -- there's a lot of
6 interest, and I know there's -- I think Randy
7 and Brad referred to the Android app that has
8 been developed for the mako sharks.

9 There's just a lot of interest in
10 that kind of thing broadly, and one of the
11 projects that MRIP has funded for later this
12 winter is a workshop that is actually going to
13 be, I think, organized by Jason Didden from
14 the Mid-Atlantic Fishery Management Council
15 staff working also in conjunction with our
16 communication education team to collect
17 information about -- from managers, about the
18 uses to which they feel they can appropriately
19 put angler self-reported, voluntarily reported
20 data, and we'll try to get some of the folks
21 that have done a lot of work in advancing
22 these sorts of things to participate in that
23 workshop.

24 Some of you might be aware of some
25 of them. Beyond the ones that were mentioned
26 here today, there's a thing called iSnapper in
27 the Gulf of Mexico, and there's a program in
28 Florida run by the Snook Foundation involving
29 reporting of angler -- or release catch, and
30 many other examples of these sorts of programs
31 that could be helpful, and we need to -- we
32 need to get all that collected and evaluated.

33 Another upcoming thing that I -- I
34 refer to the -- back briefly to the team that
35 did the reestimation design for us. That team
36 has also undertaken reviews of the survey
37 designs and estimation methodologies in use in
38 Washington, Oregon and California, and has
39 recommended changes to their survey designs
40 that address the same sorts of fundamental
41 potential sources of bias.

42 Having completed that, their
43 expectation is that they will now turn to a
44 review of the Hawaii Marine Recreational
45 Fishing Survey and the Large Pelagic Surveys
46 again, to address the same potential bias
47 issues associated with -- with them.

48 In addition, MRIP has also funded

1 some projects in both Hawaii and involving
2 Atlantic and Gulf highly migratory species of
3 exploring expansion and modification of
4 current survey methodologies.

5 So, looking down the road, you can
6 expect to hear some feedback on both the
7 prospect of an evaluation for a potential bias
8 in the LPS and the results of the various MRIP
9 projects on highly migratory species that
10 might result in some recommendations for
11 expansion or modification of current data
12 collection programs for HMS.

13 Right now the LPS review by the
14 statistical team is likely to occur at some
15 point in 2012 with results and recommendations
16 before the end of that calendar year.

17 So, now we want to talk for a few
18 minutes about some of the details about the
19 potential sources of bias that were noted by
20 the National Research Council review, and how
21 the new methodologies address them.

22 I'm going to first speak on the
23 MRIP approach, what's been done by the design
24 team and what we expect to do and then Ron
25 will discuss, for each issue, kind of a
26 preview of what we expect the review of the
27 LPS will reveal for these sources of potential
28 bias.

29 Again, this addresses the data
30 that we collect through the, what we call the
31 Access Point Angler Intercept Survey. This is
32 angler catch data that is generated by
33 interviewing anglers at the end of fishing
34 trips.

35 The sampling units for the
36 intercept survey is what we refer to as a site
37 day. The -- we maintain, in our -- along with
38 our partners, a complete inventory of angler
39 access sites in the Atlantic and Gulf Coasts,
40 and those are organized by the level of
41 anticipated angling activity or pressure, as
42 we refer to it, by state, by month, by day
43 type, weekday or weekend, and by mode of
44 fishing, shore, private boat or a for-hire
45 fishing vessel.

46 And those site days are selected,
47 in a program that is designed to collect a
48 representative sample, a sample that is within

1 that universe of site days representative of
2 all the angling that goes on, and we refer to
3 that process of selection as a probability
4 proportionate to size or PPS sample which will
5 come up on a couple of the later slides.

6 In the past, we've assumed that
7 our sampling of the site days was a systematic
8 random sample of available site days and
9 available fishing activity.

10 But the NRC review, and subsequent
11 review by consultants pointed out to us is
12 that it is not a systematic random sample. We
13 have a different kind of sampling process. We
14 select site days, but when we go to a site, we
15 then have to do additional samples at
16 additional levels or clusters of activity that
17 are occurring at the site, and those would
18 include initially selecting -- if there are
19 boats present, and we're sampling boats, a
20 sample from the boats.

21 And then, from each boat,
22 potentially a sample of anglers on the boat,
23 and then potentially, when we've selected
24 anglers we may further sample from the fish
25 that an angler has or has caught.

26 From the statistics -- the
27 statisticians tell us that this is not a
28 systematic random sample. This is, rather, a
29 multistage cluster sample, which is a
30 perfectly appropriate and legitimate way to
31 collect sample data, but it was not
32 appropriate to calculate catch from that data
33 as if it was a systematic random sample.

34 In other words, we were using the
35 wrong set of calculation equations for the
36 kind of sampling that we were doing.

37 So, the new method employs an
38 appropriate estimation method for a multistage
39 cluster design, and that's a very big and
40 fundamental part of the changes that we've
41 made, and the project team has developed that
42 and applied it to the uniqueness of our data.

43 In the future when we move to the
44 change in the shoreline, the shoreside
45 sampling design, we will continue to use a
46 multistage cluster design and we will continue
47 to calculate it using the new estimation
48 formula.

1 The big change we'll make is to
2 try to emphasize making certain that we have
3 complete counts of the numbers of anglers,
4 boats and fish that are present on a given
5 site so that our expansion of the data that we
6 do collect is correct and accurate.

7 DR. SALZ: Okay. So, as Gordon
8 says, said for each of these issues that we've
9 identified, the need for a change in the
10 MRFSS, I'm going to talk about the differences
11 between the MRFSS design and the Large Pelagic
12 Survey.

13 They also share similarities which
14 I'm going to touch on, and then try to
15 anticipate how we think the review of the LPS
16 might play out. But again, this is all in
17 anticipation of a full, outside review,
18 external peer review and so on, just like we
19 did for the MRFSS.

20 So as far as matching sampling
21 designs, similarities, the Large Pelagic
22 Survey is also based on what you would call a
23 multistage cluster design, and the new
24 estimation method will need to account for
25 that.

26 But the primary difference is that
27 the LPS is more simplistic in terms of having
28 fewer stages. It's really only the -- at the
29 boat level that we are conducting interviews.

30 So, whereas the MRFSS had to deal
31 with the cluster of anglers on a particular
32 boat, for the boat modes, for the Large
33 Pelagic Survey, we are just conducting a boat-
34 based interview with the captain or mate or
35 designated proxy.

36 Another difference is that for the
37 Large Pelagic Survey, we don't produce
38 landings estimates in terms of weights. And
39 so, that's another stage that we don't have to
40 worry about for the Large Pelagic Survey
41 because there's no cluster of fish for a
42 particular angler or particular boat trip, and
43 so it won't impact the estimates of landings,
44 numbers. We won't have to correct for that.

45 Where it may show an impact is on
46 the landing frequency distributions that we do
47 produce for the survey. So, I just wanted to
48 point that out.

1 And finally, another advantage of
2 doing boat-based sampling is that it's easier
3 to get counts when you're on dockside of the
4 potential trips that you might have missed
5 and, in general Large Pelagics, because it's
6 a rare event, our samplers miss fewer trips,
7 and so there's less adjustments that need to
8 be made, compared to the MRFSS where there
9 were -- there were -- there's more potential
10 for missing trips and having to keep good
11 counts of the number of angler trips that you
12 might have missed on site.

13 MR. COLVIN: The second of the
14 four big changes that we're making relates to
15 the time in which we collect the data.

16 Our sample assignments are done
17 during peak angling activity periods, and
18 therefore, our estimation process assumes that
19 catch rates and catch composition over the
20 course of an entire day at a given site is
21 represented by the time period we're there.

22 We know that's not true, and the
23 NRC strongly recommended that we make changes
24 to adjust for that.

25 Now, the first thing that we're
26 doing with the estimation method itself is
27 coming up with a way to evaluate the level of
28 -- and estimate the level of angling activity
29 at a given site over a full day, and therefore
30 adjust our catch data to reflect angling
31 activity over a full day.

32 However, we can't -- we don't have
33 information that will allow us to understand
34 how catch rates differ. We can get at the
35 level of activity and make adjustments for
36 different levels of activity at different
37 times of day based on some data that we have
38 from other surveys.

39 But we can't get at changes in
40 catch rate. The only way to get differences
41 in catch rate is to go out in the field and
42 collect it.

43 So, consequently, we're going to
44 change in the new intercept survey design,
45 we're going to change it from a peak activity
46 only data collection effort to one that
47 divides sites into four six-hour time blocks,
48 and so in the future, our sample unit will not

1 be a site day, it will be a site day time
2 block of six hours.

3 And the interviewers will be
4 required to complete assignments within that
5 time block, and they will -- they will cover
6 the entire day.

7 So, we'll be collecting data in
8 the future throughout 24-hour periods to get
9 the accurate catch rates for all time periods
10 into the data.

11 DR. SALZ: So, for the Large
12 Pelagic Survey, we also have the same basic
13 instructions for interviewers, is to be on
14 site during the peak when you can expect to
15 get the most Large Pelagic Survey interviews,
16 and the assignment can last from anywhere from
17 two to eight hours, so it's that time period.

18 And so, moving forward with the
19 new estimation method, we'll likely need to
20 weight the data by time intervals similar to
21 the MRFSS to account for that, but -- and the
22 new survey design will also try to cover both
23 the peak and off-peak times, to a larger
24 extent, so we don't know yet what the
25 recommendation is going to be, but it could
26 very well be similar to the time intervals
27 that the MRFSS or these now MRIP surveys
28 moving towards.

29 But as far as differences, in
30 general, large pelagic trips, the time window
31 with which large pelagic trips return is
32 considered more narrow than the general MRFSS
33 or MRIP survey because, for the most part, you
34 don't have a lot of half-day trips or very
35 short duration trips.

36 And there are exceptions. I know
37 there are areas where you can catch large
38 pelagics close to shore and you could do, you
39 know, a one-hour or two-hour fishing trip but,
40 in general, that -- the adjustment for time
41 interval we anticipate will not be as great
42 for the large pelagics because trips are
43 generally returning within a more narrow time
44 band.

45 But I think, for particular
46 species we may see some -- some differences in
47 improvement in the accuracy. I'm thinking of
48 like swordfish where there's -- there's more

1 overnight activity and more of those trips may
2 be returning, either late at night or early
3 morning when we're not necessarily out there
4 on the docks.

5 MR. COLVIN: The next issue that
6 we're addressing involves the collection of
7 what we refer to as alternate mode data.

8 As I said, the current intercept
9 design allows for some modifications to the
10 fundamental design of the survey to increase
11 efficiency of data collection.

12 The -- our site day assignments
13 are mode-specific. If you'll recall, I
14 pointed that out earlier. And so, when an
15 assignment is made, an interviewer goes to a
16 site based on the selected mode of fishing
17 for-hire fishing, private boat fishing or
18 shore fishing.

19 However, in the past, we have
20 allowed the interviewers, while they were
21 there on that assignment to collect data on
22 trips from other modes that might be present
23 at that site during their assignment.

24 So, if they were at a marina and
25 they're on a private boat assignment and a
26 charter boat came in, they were allowed to
27 interview it and collect data from that
28 charter boat trip.

29 The difficulty is that we have
30 been unable to figure out how to determine
31 retrospectively the actual site selection
32 probability of that trip for that -- the
33 unassigned mode, the opportunistic mode that
34 occurred.

35 As a consequence, all that data,
36 since we can't weight it based on its
37 probability of selection, may introduce bias
38 into the estimates and we have not been able
39 to sort out a way to adjust for it.

40 So, what the new methodology does
41 is removes all alternate mode data from the
42 database and no longer incorporates that data
43 into the catch estimations.

44 In the future, the access point
45 intercept survey design will not allow the
46 collection of alternate mode data. It won't
47 even be in there. We will -- we will, again,
48 cut that problem off at the source and stick

1 with the data that we know the site selection
2 probability for.

3 DR. SALZ: Okay. For Large
4 Pelagic Survey, similar to the MRFSS, we do
5 allow samplers to collect off-mode or
6 alternate mode interviews.

7 And, for the large pelagics, we're
8 talking about two modes, essentially, private
9 boat and charter boat.

10 But the primary difference is
11 that, with the Large Pelagic Survey, other
12 than the -- how the assignment is drawn, so we
13 have separate draws for charter and private,
14 but once the interviewer is given that
15 assignment, they can -- and they are
16 encouraged to interview in both modes, with
17 equal opportunity and so we know the selection
18 probabilities because they're not just
19 focusing on one mode and possibly getting some
20 off-mode interviews when they get a chance,
21 they are really just treating mode equally
22 once they are on site.

23 And because of that difference, we
24 anticipate that the alternate mode issue won't
25 be really an issue for the Large Pelagic
26 Survey, and that we'll still be able to use
27 the data and, moving forward, we'll still be
28 able to collect alternate mode interviews,
29 which is very important in terms of efficiency
30 and overall costs of the survey.

31 So that's a primary difference
32 between the MRFSS and the Large Pelagic
33 Survey.

34 MR. COLVIN: The last major change
35 in the new methodology involves what we refer
36 to as alternate site data.

37 In the past, our intercept
38 surveyors, when they went to their assigned
39 site and found that there was little or no
40 fishing activity present, were allowed, after
41 a couple of hours to go to an alternate site
42 of their choosing, where they could collect
43 data for the balance of their -- their work
44 day.

45 And as you can imagine under those
46 circumstances, they would normally go to a
47 site where they expected to be fishermen and
48 fishing activity present. And, as a

1 consequence, without making adjustments for
2 the selection probability of these alternate
3 sites, that clearly introduces potential bias
4 into the resulting catch estimates.

5 So, the methodology that the
6 estimation team came up with involved going
7 into the historic databases, looking up these
8 -- where are these alternate sites, and for
9 the vast majority of them, they were able to
10 determine retrospectively the site selection
11 probabilities of those alternate sites and re-
12 weight the data that was collected to reflect
13 those selection probabilities.

14 That's still -- so that approach
15 is being incorporated into the new estimation
16 methodology, but it's still a model-based
17 retrospective approach and it's not ideal.

18 The more ideal approach is what
19 we're going to employ in the future in the new
20 shoreline sampling design where the
21 interviewers will be assigned to specific
22 sites, and they will not be permitted to go to
23 alternate sites.

24 Where we know they're being
25 assigned to low activity sites, we're actually
26 going to put them into a group, or a cluster
27 of sites, two to three per assignment, and
28 allow them to go to a low-cluster -- a low-
29 pressure cluster of sites for three two-hour
30 periods or two three-hour periods to try to
31 improve efficiency while retaining the
32 integrity of the statistical integrity of the
33 survey design.

34 DR. SALZ: The Large Pelagic
35 Survey already employs site clusters so
36 there's no alternate site by the interviewer
37 choice.

38 They do have choice in terms of
39 the order that they choose to go to their
40 sites within the cluster, and they also have
41 choice in terms of which site they visit first
42 and how long they spend, and generally they
43 are instructed to canvass all the sites in the
44 cluster and then try to optimize or spend more
45 time at the sites where they think they can
46 get more large pelagics interviews.

47 So, in terms of similarities, we
48 recognize that we'll need to properly weight

1 the catch data to account for the specific
2 time they spent at each site within the
3 cluster.

4 And, moving forward, we'll want to
5 perhaps give them more stringent rules
6 regarding which site to visit first and how
7 much time to spend at each particular site so
8 that the selection probabilities and the time
9 on-site will be -- we'll be able to adjust for
10 that in the estimation method.

11 So, as I mentioned, just
12 reiterating the differences, the large
13 pelagics currently already uses site clusters,
14 which is what the MRFSS is moving towards.

15 There's no alternate site
16 selection that we need to model to try to
17 produce our reestimation.

18 I just wanted to touch upon a few
19 other, the primary differences that we
20 recognize between the old MRFSS survey and the
21 Large Pelagic Survey, and one of them has to
22 do with how we estimate effort.

23 The NRC, in their report, spent a
24 lot of time, and one of their major
25 recommendations was that we need a list of
26 anglers. You know, we need a frame of which
27 we can sample from and so the MRFSS has moved
28 towards either the federal registry or state
29 licenses in most cases, and we'll be
30 incorporating those in the new effort survey
31 designs.

32 The HMS, or the Large Pelagic
33 Survey, rather, has had the benefit of already
34 having that list, and that's the HMS permit
35 frames which we base our effort surveys on,
36 and so we make adjustments for anyone that's
37 off-frame that doesn't -- is not on the HMS
38 permit list based on our dockside survey
39 information.

40 And, in general, the major benefit
41 is that our response rates are much higher
42 than what we have been getting on the coastal
43 household telephone survey which is the way
44 that the MRFSS had formerly produced effort
45 estimates.

46 But still, you know, no survey is
47 perfect, and even though we have higher
48 response rates, we still have anywhere between

1 a 25 to 30 percent nonresponse on our large
2 pelagics telephone surveys.

3 And so, this year, one of the MRIP
4 pilots will be looking at evaluating the
5 potential bias of those nonrespondents. So,
6 do they differ, does that 30 percent differ
7 from the 70 percent that we are contacting.

8 And when I say differ, primarily
9 we're interested in their trip rates, you
10 know, how many trips that they take in the
11 previous week or two weeks, so that's a pilot
12 that we'll be implementing in 2012.

13 And then finally, there's some key
14 differences in tournaments, particularly
15 because tournaments play a significantly
16 larger role in terms of the landings and the
17 effort for large pelagics than they do for
18 many of the more generalized species.

19 So, MRFSS has not covered
20 tournaments in the past, but will be moving
21 forward with the MRIP redesign. And,
22 tournaments will be appropriately accounted
23 for in the estimation, so those trips, those
24 interviews will be weighted appropriately so
25 as not to over- or underestimate or sample
26 tournaments.

27 And LPS has covered tournaments in
28 the past. A study we did a few years back
29 showed that we may be oversampling tournaments
30 on the dockside, compared to what we're seeing
31 on the phone, and so the new estimation design
32 will appropriately account for that and weight
33 the tournament data to make sure, again, that
34 we're not over- or underrepresenting
35 tournaments in the data.

36 So, just to sort of reiterate and
37 wrap up as far as what -- what the key take-
38 aways for the overall presentation that Gordon
39 and I have made, one is all these improvements
40 are aimed at accuracy and precision.

41 And so, the new estimation methods
42 and in combination with the new survey designs
43 will improve the accuracy and precision of the
44 estimates and if we wanted to go beyond that
45 and improve the precision even more we would
46 need increased sample sizes, increased
47 funding.

48 The other key point is that

1 everything we're doing as far as MRIP is
2 collaborative and peer-reviewed, and we're
3 getting outside consultant expertise so it's
4 not like NMFS or, you know, the state agencies
5 are working in a vacuum.

6 We are reaching out to academia
7 and other expertise in the private sector to
8 get input and to get basically certification
9 on these approaches.

10 And, as Gordon mentioned, some of
11 the other improvements that are still underway
12 including looking at private access issue,
13 looking at timeliness and some of the other
14 improvements that we are pilot-testing through
15 MRIP.

16 And finally, you know, we continue
17 to work with our state and federal partners on
18 this and reach out to folks to get them
19 involved with helping us develop pilot
20 projects and implement some of the changes as
21 we move forward.

22 MR. BROOKS: Do you want to take a
23 couple of questions now or -- it would
24 probably be worth taking a couple of questions
25 on this and then let you slide into the next
26 presentation.

27 Rich, then over to Rom.

28 You got lucky, Rich.

29 MR. RUAIS: This is rare. This is
30 rare. Well, I guess it's like d,j... vu all
31 over again.

32 In the Nineties, for -- in the
33 early Nineties, in particular, for anybody
34 that was involved, this was an every-meeting
35 subject where -- where people from both sides
36 didn't believe the estimates that were coming
37 out, recreational side, thought they were too
38 high and some on the recreational side thought
39 they were too low, and some on the commercial,
40 same way.

41 Most of us believed they were too
42 low, and some thought they were too high. And
43 before this committee was formed it was -- it
44 fell in the lap of the IAC and John's
45 predecessor, John Dean -- then John inherited
46 it.

47 And we got peer review after peer
48 review after peer review, and it basically

1 always was pretty much an internal peer
2 review, and came back saying everything's --
3 everything's fine, and we're doing a good job.

4 And this clearly shows that
5 there's some real potential time bombs here
6 that, you know, we're not getting the answers
7 on right now.

8 For example, where you talk about,
9 you know, the NRC findings on catch estimation
10 methods, and it concludes these two factors
11 inserted potential for bias into the point
12 estimates and their precision.

13 Well, what are we going to --
14 there's several questions. One, how far back
15 in time are you going to go and actually
16 revise the catch estimates under -- under the
17 revised, renewed, improved methodology.
18 That's one question.

19 What are we going to do with those
20 numbers? Are we going to -- are we going to
21 submit them to ICCAT both for -- well, then,
22 I guess a part of that is Miami, Southeast
23 Fishery Center, the stock assessment people
24 involved in this?

25 Are we going to look at -- you can
26 see where I'm going with this. There's an
27 awful lot of questions on -- on what are the
28 implications that ICCAT for us. What are the
29 implications, not only in terms of what the
30 output of the stock assessment was on TAC, but
31 what -- what our compliance levels were.

32 Is this a compliance issue as well
33 as a biological issue on stock size and
34 appropriate -- appropriate tax. And, God, I
35 -- you know, there are just so many -- so many
36 issues here it's unbelievable.

37 You know, I'll stop there for now,
38 but I'm just -- I'm just anxious, very anxious
39 to find out how far we're going to take
40 whatever -- whatever ultimate revisions are
41 made to prior catch estimates, because the
42 implications of that are huge to the fishery.

43 MR. BROOKS: Very fair question,
44 and I think either Margo or Ron wants to jump
45 in on that.

46 DR. SALZ: So, as far as the Large
47 Pelagic Survey, and how far back we might go
48 with reestimation, the data that we have, or

1 the design that we have currently goes back to
2 2002.

3 So, the Large Pelagic Survey has
4 changed over the years. 1992 was the first
5 year that it was done along the whole range
6 from Maine through Virginia. But, it was a
7 different design back then.

8 And so the design that we're going
9 to be evaluating is the one that started in
10 2002, and that we have the data for and can
11 potentially go back and do reestimation back
12 -- essentially, that's ten years now.

13 But, I think the key -- and you
14 said "potential." At this point it is just
15 potential changes. We don't know how, if any,
16 any of this is going to change the data,
17 change -- you know, particularly for bluefin
18 if that's -- you know, that's the focus.

19 And so, you know, it's hard to
20 say, then, as far as your follow-up questions,
21 what are the implications for ICCAT, and what
22 does this mean for assessments and monitoring
23 and so on, until we actually see the effect of
24 those changes.

25 So, that's about really all I can
26 tell you right now because that's all that I
27 know.

28 MR. BROOKS: Thanks. John.

29 MR. JOLLEY: John Jolley, Florida.
30 And I agree with Rich. I think this is a big
31 bag of worms and we are concerned about many
32 of these things.

33 This is probably one of your most
34 difficult tasks in fisheries management, is
35 getting a handle on this recreational bug, and
36 it is a big one.

37 But, I have a question about
38 catching effort between the for-hire fishery
39 and the private fishery and I wanted to know
40 if you have gotten a handle on total
41 recreational -- for as it occurs in the
42 private fishery versus the for-hire fishery,
43 and how it may have changed from 1960 to
44 present.

45 For example, the small boat boom
46 has changed the fishery forever, and far fewer
47 people are going out on charters today than
48 they did back in 1960, and that changes the

1 face of the recreational fishery tremendously,
2 and how are you handling that.

3 MR. COLVIN: Well, the MRFSS
4 program that collects and generates estimates
5 of trips and catch goes back to 1981. We
6 don't have data prior to then, and that may be
7 the short answer to your question.

8 But certainly the data that we've
9 generated through the MRFSS program, we can
10 all go look at it right now together and look
11 at trips by mode to see if you see
12 proportionate changes in for-hire versus
13 private boat trip proportions.

14 That's -- that's in the database
15 back to '81 now.

16 MR. BROOKS: I've got four people
17 in the queue, and I would ask you all to be as
18 succinct as you can just because we have
19 another presentation that they all have to get
20 to and we want to make sure we're not cutting
21 short our conversation on bluefin tuna this
22 afternoon.

23 So, I've got Marco, Rom, Ralph and
24 Scott.

25 MR. HANKE For the Caribbean area,
26 right now we are dealing with the ACL and
27 everything that we have to implement for
28 recreational, and they have been a great
29 handicap for us in terms of dealing with
30 numbers that we are not comfortable with.

31 And my question, specific question
32 to the presentation is: On the process of
33 reassigning, when an interviewer goes to site-
34 to-site, I'm very uncomfortable on losing the
35 potential data because these charter that
36 arrive, and not the recreational fishermen, on
37 the site, this guy should interview, to lose
38 this important information.

39 For example, charter versus a
40 private boat, and because you're waiting --
41 for example, you're interviewing on the
42 tournaments, and giving a different weight to
43 the tournament data, you can do the same once
44 you have a charter coming in, it's not the
45 assignment, but at least not lose that data
46 that I think would be important.

47 For example, if you are going to
48 compare in the future, the effort between

1 charter and private boats, especially if
2 you're on the same day, you don't have the
3 assignment, but you have a private boat and a
4 charter that are using the same gear, target
5 the same species on the same day, and we are
6 losing that opportunity of comparing. That's
7 one.

8 The other question is: How will
9 you address the effort estimation related to
10 gear? For example, on the recreational and
11 charter business we use different methodology
12 that's one of the very difficult issues to
13 address for you guys probably, but this
14 example that I'm going to give you now, it's
15 remark this very much.

16 For example, I go out with an
17 angler, fly-fishing for tuna, and the other
18 charter go with an angler on a regular tackle
19 for tuna on the same day, the same fishing
20 ground and everything, and they don't catch
21 anything, and it was all over to tunas.

22 But, in terms of the tackle, it
23 was a handicap to me. How the guys weight the
24 tackle and the -- because this is very
25 important in terms of the result of the
26 fishing effort.

27 MR. COLVIN: In terms of your
28 first question, I think that's been an issue
29 that's been discussed a lot, and particularly
30 with our partners, you know, a lot of the
31 states do this field work for us, and they've
32 expressed concern about what they see as a
33 potential lower rate of efficiency by not
34 doing the alternate modes and the alternate
35 sites, and so forth.

36 And the response that the
37 statisticians have come back with is that, you
38 know, this is a trade-off, and you have to
39 make a managerial trade-off between, in this
40 case, collecting more data, if -- by allowing
41 the alternate modes and the alternate sites
42 and some of these other streams, and
43 maintaining the integrity of the statistical
44 design and the quality of the data that you
45 get.

46 There may be some managerial
47 changes we can make, and we will know more
48 once we get the results of the North Carolina

1 pilot and start to translate that into actual
2 on-the-ground work.

3 But, what we've been, frankly,
4 beaten right along the side of the head with
5 a baseball bat here by the statisticians is,
6 your surveys have been done wrong, and your
7 estimation is using the wrong math. Fix it.

8 And that's our number one
9 priority, and it may mean, in some instances,
10 the efficiency of our data collection in terms
11 of the amount of data we collect may go down,
12 but the data we collect will be sound, and
13 that's what we've got to do.

14 The second question you asked
15 dealt with distinctions between gear types or
16 angling methods in the effort surveys, and the
17 short answer to that is that historically we
18 have not made any distinctions in angling
19 methods in any of our effort surveys, whether
20 it's charter, private or shore mode.

21 And it would be difficult to do
22 that because there are so many different
23 variations around the country and around the
24 coasts.

25 I'm not sure how we would make
26 those distinctions, but at the end of the day
27 it seems to me that it's -- what we're trying
28 to account for is the total number of fish
29 that are caught and then, you know,
30 subdividing that into the fish that are landed
31 and the fish that are released.

32 And so, regardless of the methods
33 that are using, the results are the results,
34 and we should have that. And if we've
35 designed our sample properly, and if it is
36 appropriately random and representative, then
37 -- then the results will reflect the actual
38 catches.

39 MR. BROOKS: Thanks, Gordon.

40 MR. COLVIN: I don't know if you
41 want to add to that at all, Ron.

42 MR. BROOKS: I've got Rom, Ralph
43 and Scott. And if any of you can pass and ask
44 this at the break we would appreciate it. I'm
45 really getting concerned about eating up too
46 much time for the next conversation.

47 Rom.

48 MR. WHITAKER: I apologize for

1 being delayed but, Margo, I appreciate all
2 your work, for finding out what direction we
3 need to go for the management.

4 But, last week I fished out of
5 Oregon Inlet four days and I pull eight lines
6 and I had several occasions where I caught
7 blackfins, yellowfins, bluefins and skipjack
8 tuna all in the same -- same time, which is a
9 great problem I have.

10 But, at any rate, it just -- I was
11 really hoping that we could somehow put the
12 blackfin under the HMS. I mean, if we go to
13 the councils, blackfins range from Maryland to
14 Texas. That's in three different councils.
15 That's probably another permit we have to
16 have, more paperwork.

17 It just seems maybe it would be
18 easier to go back and change the definition of
19 tuna and add blackfin to it.

20 Meanwhile, you know, I'm seeing
21 boats throw 60 a day on the dock and in my
22 opinion, that's entirely too many and, you
23 know, let's think about tomorrow. So, the
24 quicker we can make it happen, the better.
25 Thank you.

26 MR. BROOKS: Thanks, Rom.
27 Ralph.

28 MR. PRATT: I was just curious.
29 Does ICCAT have an accepted methodology for
30 calculating the recreational bluefin catch?
31 I mean, are we all going to be doing it the
32 same or is this something that we're going to
33 do and then sell to ICCAT before it's adopted?

34 How does ICCAT recommend that
35 other countries do it right now?

36 MR. GRAVES: ICCAT doesn't have a
37 recommended methodology. It is up to each
38 member nation to describe the methodology that
39 they're using and that has to be, then,
40 approved by the standing committee for
41 research and statistics.

42 So, we don't tell other countries
43 how to do it, you know, but when they come up
44 with the method, they say this is how they are
45 going to do it. SCRS evaluates it. Same
46 thing for us.

47 And in response to an earlier
48 question of Rich's, what would happen if we

1 were to go ahead and to revise our estimates,
2 based on different methodology in the LPS, we
3 would submit that as a document to ICCAT which
4 would be reviewed by the SCRS and they would
5 probably approve it, so we can change it.

6 And we can change the methodology
7 but that has to be approved. We can't just
8 change the numbers.

9 MR. BROOKS: Thanks.

10 Scott. Scott.

11 MR. TAYLOR: I'll be brief, and
12 that's hard for me, but if what we all
13 basically just listened to for the past 30 or
14 40 minutes was about how to calculate
15 retention so that the fishery can be managed,
16 essentially the commercial sector is a hundred
17 percent accountable for its retention.

18 The issue with the recreational
19 sector has been -- and this is in particular
20 to the South Florida area as it pertains to
21 swordfish, an area that we would all love to
22 see higher retention reporting numbers because
23 it's going to help the ICCAT quota.

24 You are dealing with a
25 geographical area where the approach that
26 you're using in survey is not going to work.
27 It's not going to work because of the
28 multitude of canals, private sector, small
29 boat activity that's out there, that you are
30 going to completely miss in your survey.

31 So, rather than belabor it, I'm
32 going to make a suggestion that up here, in
33 the Northeast, for example, when there's
34 bluefin retention, when the boat comes to the
35 dock, it has to come to an outlet and get a
36 tag to put into the fish.

37 Whether it's a deer in the forest,
38 whatever it may be, if you make the
39 recreational sector responsible to report what
40 its landings are or it will lose its share of
41 the quota, then maybe rather than to have to
42 extrapolate the numbers, you would have real
43 numbers to base the allocation of the quota
44 on.

45 DR. SALZ: So, as Margo pointed
46 out, that's a great segue to the next
47 presentation, which is going to be talking
48 about a pilot study that we're doing in

1 Massachusetts because, as you mentioned -- as
2 Scott mentioned, there are two states where
3 bluefin do have to have a tag and a cash card
4 has to be filled out to land every
5 recreational fish.

6 So, in the other states for
7 bluefin, the mandatory requirement is to
8 either call that fish in with the 888-USA-TUNA
9 hotline, or to go online and do it on the
10 website.

11 But the compliance rate with those
12 other approaches has been considerably lower
13 than one would like for a mandatory census
14 program, and so under MRIP we're looking into
15 a pilot, a new approach basically, and we're
16 -- we're using Massachusetts as the pilot
17 state for bluefin landings.

18 There you see the project team, so
19 we tried to get a mix of fishing industry
20 folks, academia. Scott Baker is with North
21 Carolina Sea Grant. Most of you know Molly.
22 Karen Holmes is with ACCSP.

23 So we definitely wanted the buy-in
24 and the cooperation from the state partners.
25 So, Greg Skomal and Mike Armstrong, with MFS,
26 Marine Fisheries, and then Margo, myself and
27 Brad are on the team as well.

28 We've had one kick-off meeting and
29 several conference calls, and one face-to-face
30 meeting in Gloucester, and based on those --
31 and also based on -- I should have said right
32 up front that a lot of the ideas for this
33 project came out of talking with you folks at
34 previous AP meetings.

35 So, based on those ideas and some
36 of the early project team meetings, we've come
37 up with some, what I'm calling at this point,
38 preferred design elements, but nothing is set
39 in stone and, in fact, we're not planning on
40 actually implementing the pilot until 2012.

41 So, we have some time to sort of
42 hone in on the preferred design and also get
43 some more input from the fishing industry and
44 from the advisory panel.

45 But, some of the things we talked
46 about as preferred elements during the kick-
47 off meeting, one is the advantage of having a
48 physical tag, as you mentioned in Maryland and

1 North Carolina.

2 It's a highly-visible tag that
3 people see on the fish. It serves as its own
4 outreach tool, you know, so it's an
5 advertisement for the program.

6 There's also a potential for peer
7 pressure, so if captains, anglers, see fish on
8 the dock without the tag, that, you know,
9 immediately will draw attention.

10 Enforceability is a key element
11 that we talked about for any census-based
12 program, particularly a mandatory program, and
13 the tab, I think, reinforces that
14 enforceability.

15 You know, it's visible, it's easy
16 for enforcement to identify it, as well as
17 being able to validate. So, we could
18 potentially do independent validations by
19 having people on the docks seeing how many
20 tagged -- how many fish come in with tags and
21 how many come in without tags, and then you
22 can get some measure of compliance, which you
23 could use as a correction factor on your
24 estimate.

25 But just having the tab on the
26 fish alone doesn't give us the data that we
27 need. So, we talked about the need to
28 activate the tag through actually reporting,
29 and also the importance of having the permit
30 holder receive some confirmation that the tag
31 has been activated.

32 Each tag will have a unique
33 number, and the confirmation could be
34 something that the angler or captain could
35 show to enforcement that, you know, yes, I did
36 report this fish.

37 Also, we wanted to make this as
38 easy as possible and as quick as possible for
39 anglers and captains to report, and so we're
40 really focusing on the bare minimum data
41 elements.

42 And, really, all we need to know
43 is, you know, the fish was landed, the size.
44 We want, you know, the size class, but it
45 would be even better to have an accurate
46 length measurement, and the permit holder, the
47 permit holder information, really, just if we
48 can get that permit number.

1 There is some supplementary
2 information that we might like to have, you
3 know, location of catch or gear type, were
4 they fishing in a tournament, but really, for
5 the sake of the pilot, we're just focusing on
6 the minimum data elements to make it as easy
7 as possible to report.

8 And finally, we recognize the need
9 to have multiple reporting options. Now, even
10 though the -- under the current ALARS, we do
11 offer phone and internet, and that's still not
12 giving us the compliance rates that we would
13 like, but we are considering expanding those,
14 looking at things like -- there was some
15 discussion about the mako apps.

16 They are looking at applications
17 for either Android or iPhones, texting. And
18 also making some of the web applications
19 mobile so you can do it using a smart phone,
20 but you're on the web.

21 But the bottom line is, we can't
22 expect every angler or captain to have the
23 same technology. And so, we have to offer
24 multiple options because not everyone is going
25 to have an iPhone. Not everyone's going to be
26 comfortable with texting. So, we're looking
27 into multiple options for reporting.

28 Some design questions that we hope
29 to get feedback on that are still, I would
30 say, unresolved, one is when will the tag --
31 when will you be able to get your tags?

32 In the Maryland and North Carolina
33 programs, you have to fill out the card, and
34 you get the tag after the fish is caught and
35 brought back to the dock. So, before the fish
36 is removed, you have to go to a marina, to a
37 tackle shop and get your tag.

38 But we are considering, for
39 Massachusetts, because of the geography and
40 the nature of the fishery, a lot of small
41 boats, boat ramps and the difficulty of having
42 reporting stations everywhere they need to be,
43 we're considering having tags available before
44 the fishing trip.

45 So, that's a whole different type
46 of data collection design that we need to
47 consider.

48 How would you get your tags, you

1 know, bait and tackle shops. We need to set
2 up a network of cooperating shops. We could
3 mail them here from -- you know, from NOAA,
4 but that involves a considerable amount of
5 administrative costs and so one option might
6 be to mail a few tags at the beginning of the
7 season, just to get people started, but then
8 have these other locations where they can pick
9 them up.

10 Massachusetts DMF, as I mentioned,
11 is cooperating with us in this program, and
12 they could be another source, or other
13 locations like -- you have tournaments. If
14 there's a tuna tournament, we would certainly
15 try to get them some tags to give out to their
16 participants.

17 And so we would -- you know, we're
18 looking for ways to make it as easy as
19 possible for someone to get a tag in a timely
20 manner if they want to go fishing, say, you
21 know, the next day or the next week or so.

22 Another key question is how many
23 tags. You know, should we limit it on a per
24 request basis, you know, how many tags do you
25 really need to get you by the next week, say,
26 or the next few days.

27 And if so, you know, just how are
28 we going to keep track of that. And then, you
29 know, finally, how are we going to account for
30 tags, or do we even need to account for who
31 got which tags? And, particularly at the end
32 of the year. You know, unused tags, how do we
33 account for that?

34 Is it too much to ask tackle shops
35 to keep track, keep a database of who they
36 gave tags to and who returned them?

37 And if that's the case, maybe we
38 don't need full accounting. Maybe the key is
39 just that we know which ones got activate,
40 which got reported, and at the end of the year
41 those tags just become unusable, you know,
42 once the fishery is closed.

43 I'll quickly get through this
44 because I know we are -- we are already well
45 over time, but some of the reporting options
46 and some of the key questions.

47 You know, we don't want to go
48 through the trouble of developing an app if

1 most people don't have that particular type of
2 cell phone. So, we need to find out -- you
3 know, we think most people have cell phones,
4 but how many people text, use internet, smart
5 phones?

6 And perhaps more importantly,
7 since the reporting has to be done before the
8 fish is offloaded, can they get the coverage
9 at the dock, or at some point while they're
10 coming in so they can report the fish while
11 it's still on their boat, because that seems
12 to be a key element for enforcement.

13 And I already talked about the
14 confirmation, and could that be used as legal
15 evidence of reporting, you know, if it's
16 electronic?

17 So, we still have some questions
18 but, you know, the good thing is we have some
19 time to really work on this and put together
20 a good pilot program for implementation and
21 we're going to be doing some focus groups and
22 reaching out to the fishing industry during
23 the winter months, so we're ready to go once
24 the bluefin arrive sometime in late May or
25 early June.

26 And there's just the timeline that
27 we set forwards for this project, so we'll
28 definitely be giving you updates as, you know,
29 as we progress.

30 I don't know if we have time for
31 questions.

32 MR. BROOKS: We don't. But we
33 have a break coming, so if folks do have any
34 questions on the pilot program that Ron just
35 walked through, I'd encourage you to come up
36 to him during the break.

37 Before we go to the break, just
38 two quick things. One, for anyone who is a
39 guest here and not an AP member, there was a
40 sign-in sheet that was sort of hidden before.
41 It's now fully visible and we would ask all of
42 you to go and sign in so that this HMS team
43 can follow up with meeting materials, et
44 cetera.

45 So, I'd ask all of you to do that,
46 and just -- we'll need to huddle on a little
47 agenda triage and so to help us it would be --
48 if we could get a signal from public members

1 on the numbers of you that think you will have
2 interest in making comments during the public
3 comment portion.

4 One. Okay. That will help us do
5 some agenda triage.

6 So, it is now three o'clock, so we
7 will reconvene at 3:15 sharp and dive into the
8 bluefin tuna discussion. Thank you. Thanks,
9 Gordon and Ron.

10 (Whereupon, the above-entitled
11 matter went off the record at 3:01 p.m. and
12 resumed at 3:20 p.m.)

13 MS. SCHULZE-HAUGEN: All right.
14 So, I wanted to just introduce this a little
15 bit.

16 We had sent out a white paper
17 that, hopefully, you have all had a chance to
18 read, where what we're trying to do here is
19 really look to the AP in your role as advising
20 us on FMPs and FMP amendments, and where we go
21 from here.

22 A lot of comment that came in on
23 the quota rule was beyond the scope of that
24 action, where we were implementing an ICCAT
25 recommendation, using the best available
26 information we had, and we got a lot of
27 comment that was very broad on bluefin tuna
28 management overall.

29 And so, we weren't able to really
30 grip those issues in that action because that
31 was more narrowly focused.

32 But this is the point where we can
33 really engage in the discussion of whether
34 large changes, small changes, no changes are
35 what we need to do.

36 We've presented, over the last
37 several AP meetings pretty detailed
38 information on bluefin tuna in a variety of
39 aspects, different categories, different --
40 different issues within the categories, in an
41 attempt to kind of make sure everybody's
42 starting from the same information base.

43 And that was largely what the
44 white paper was trying to do. There were a
45 lot of statements that I heard in the spring
46 about the history of where we -- how we've
47 gotten to this point.

48 And, for the folks around the

1 table that aren't necessarily living bluefin
2 every single day, we wanted to give you some
3 of that baseline information, and also we took
4 some of the input in terms of other fisheries'
5 models, management models to take the time and
6 give you some of the feedback of what we found
7 when we looked across the country, including
8 Canada, for different ways to address the
9 kinds of issues that we are seeing in the
10 bluefin tuna fishery, and then pose some
11 questions that we were hoping would be kind of
12 kickoff questions, things to get people
13 thinking about things in an attempt to kind of
14 start the dialogue on does the fishery need
15 adjustments, how --

16 And the final point that I would
17 like to add is, the regulatory process for us
18 to make changes, any changes, is often six,
19 nine, twelve months long. If they are large
20 changes, they are often two to three years.

21 And so, when we think about where
22 we were in 2009, when we published the
23 Advanced Notice of Proposed Rulemaking which
24 was, again, posing very similar questions on
25 how were we managing these fisheries, what
26 kinds of changes should we be considering.

27 The comments that we were getting
28 then were very different than some of the
29 comments that we were getting this past
30 spring.

31 And so, from a regulatory process
32 standpoint, that was a two-year difference,
33 that if we had initiated major changes in
34 2009, based on the comments we got then, that
35 we would just be finalizing them now as the
36 comments two years later are really rather
37 different.

38 And so, it's difficult for us in
39 the regulatory structure to adapt that
40 quickly. And so, one of the things I'd like
41 you all to be thinking about throughout this
42 discussion is where do we want to be in 2013
43 and 2014, because it will take, if these
44 changes are large, us to get that done.

45 And so, if we start now, thinking
46 about where we want to be in 2012, we may miss
47 the boat. And so, we need to really think
48 long-term, think about the kinds of

1 flexibility, where the fishery will be.

2 We've seen a lot of changes in the
3 fishery with, you know, distribution and
4 availability of different sizes of fish in
5 different places than they had been
6 historically.

7 How do we adapt to that? What
8 kinds of changes are coming? What kinds of
9 regulatory changes would allow us to best meet
10 the needs of our many management objectives.

11 The fisheries, the categories,
12 have different management objectives,
13 different management structures, and so, you
14 know, do we need to revise those? How? You
15 know, and how do we kind of get through this
16 so that on the other side of it, you know,
17 it's been a fair and an equitable process for
18 everyone that's at the table as well as those
19 that aren't at the table.

20 Not all the interests are managed
21 to be squeezed in around this room.

22 So, with that, I'm hoping that we
23 can have a really good discussion of where we
24 go from here. And again, thinking long-term,
25 as well as, you know, what do we do in the
26 meantime, how do we adapt as we're going
27 through a change process, assuming that we
28 are?

29 We still have a couple of years
30 before we will get that done, and so what do
31 we do in the meantime?

32 So, with that, anything you want
33 to add, Bennett, before we jump in?

34 MR. BROOKS: Yes. I just want to
35 just to remind people sort of of how we're
36 going to carve up the time.

37 In a second, Brad will walk us
38 through, in essence, a quick synopsis of the
39 white paper that was done. We'll probably
40 spend about, oh, 40, 45 minutes or so on that.

41 We'll take this conversation to
42 about quarter to five, so that will give us
43 somewhere in the neighborhood of 45 minutes,
44 maybe a half-hour, 30, 45 minutes to have,
45 first of all, any clarifying questions on any
46 of the information that Brad will have
47 presented, so we make sure we're all clear on,
48 you know, sort of the context that this

1 conversation is going forward in.

2 But we really do hope, as well,
3 that we can use the bulk of that time just to
4 hear some of your initial thoughts, as you
5 think about this issue, as you think about the
6 kinds of questions that Margo was just putting
7 out there, so that everyone has the benefit of
8 hearing at least a range of perspectives,
9 because what we're then hoping is, this
10 evening, you all, over drinks down at the bar
11 or maybe dinner, can start to have some
12 informal conversations.

13 Take this conversation forward a
14 little bit, both with those who may, you know,
15 be of like-minded interest, and in particular,
16 we encourage you to talk across sectors,
17 across interests this evening so that, then,
18 tomorrow, when we have the entire morning to
19 discuss this topic, the conversations will
20 move forward a bit and we can -- we hope that
21 that will allow us to make a bit more progress
22 here tomorrow.

23 So, again, we'll have an overview
24 by Brad, then a general conversation here. At
25 the end of that conversation, we will -- we'll
26 ask you a little bit about how you might think
27 about structuring the conversation tomorrow.

28 We have some ideas, but we'd like
29 your thoughts about what you think might be
30 most productive.

31 So, with that, I'll turn it over
32 to Brad.

33 MR. McHALE: Thank you, Bennett.
34 And one thing I did want to point out, I
35 wanted to thank the HMS staff that took the
36 time and effort to pull together that white
37 paper, as well as the presentations, are
38 Dianne Stephan, Mike Clark and Sarah
39 McLaughlin, played pretty strong roles in
40 that, so I wanted to thank them right out of
41 the gate.

42 So essentially, we'll be doing a
43 look back, as we mentioned, kind of what we
44 heard through the 2011 process, some of the
45 overarching issues, and then really looking
46 forward to the discussion and looking forward
47 in how we tackle some of these, given the
48 changes we've observed.

1 I mean, the Bluefin Tuna Reg
2 Amendment is just a prime example. You know,
3 that was back in '09, and the changes in the
4 fishery we've seen since then, and I
5 anticipate those changes will continue to
6 occur, as they always do when it comes to
7 bluefin.

8 So, specifically, one of the
9 challenges we were up against from a
10 management perspective this year was that the
11 adjusted Atlantic bluefin tuna quota for the
12 2011 year was insufficient to cover the base
13 allocations as outlined in the FMP, plus all
14 anticipated dead discards that we would incur
15 during the 2011.

16 And what I'll be going over is a
17 number of the different reasons that we got to
18 this point. I know that we've discussed them
19 at some length at the probably previous two or
20 three meetings now, so I won't necessarily
21 belabor them, but for those new members and
22 members of the audience, just as a refresher,
23 just to touch on some of those items.

24 So, during the bluefin tuna quota
25 rule for this year, again, as Margo had
26 mentioned, we received a fair number of
27 comments that were largely beyond the scope of
28 that specific action.

29 And what we've attempted to do
30 here is try to glean them down into some
31 overarching themes of what we heard during
32 that rulemaking.

33 So, the increased usage of the
34 direct bluefin tuna quotas was something that
35 we had heard through a number of comments.
36 The fact that we may want to start to
37 entertain domestic allocation, whether it be
38 across the different user groups or even as
39 subsets.

40 Obviously, the need to decrease
41 bluefin tuna bycatch in some form or fashion,
42 and we heard a number of different comments
43 regarding how that can be done.

44 Whether or not we modify the
45 permit structure, obviously, this has come up
46 a couple of times today and it seems to come
47 up in just about all the meetings is, how do
48 we improve our monitoring of our landings, and

1 not only our landings, but all sources of
2 mortality?

3 And then, how do we address some
4 of the issues that we're experiencing now in
5 the pelagic longline fishery, and how that
6 quota is managed and how that catch is
7 managed?

8 So, as a result of that rulemaking
9 and going through all 6,000 plus comments,
10 that we were kind of kicking around the idea,
11 even prior to that, but, you know, is now the
12 time, and is it right to start examining
13 bluefin tuna management across the board, you
14 know, in all the fisheries, whether they be
15 charter -- we've heard comments there, whether
16 it be recreational, whether it be the
17 commercial hand gear, whether it be longliner
18 or whether it be the seiners, that there have
19 been enough issues that have popped up over
20 time that, you know, is now it, to start
21 exploring what would be contained in a fishery
22 management plan amendment, if the need was to
23 have some overarching changes.

24 And reflecting back on the last
25 number of meetings, obviously the attention
26 primarily has been focused on the angling
27 category as well as the longline category, and
28 I think a lot of that has to do with some
29 timing.

30 We saw some high catches in the
31 angling category. We presented on that in
32 prior meetings. Hence, some of the retention
33 limits we've had in place over the last two
34 years.

35 One of the ongoing issues is,
36 again, addressing bycatch, and how that's
37 calculated and then, in turn, how it's
38 measured up against the quotas.

39 And, as we mentioned, the white
40 paper that everyone has, has more detail than
41 I'll be presenting this afternoon. But,
42 hopefully, we can get into some of those
43 issues throughout the remainder of today as
44 well as into tomorrow morning.

45 So, this is a slide that I'll
46 probably be coming back to at the tail-end
47 but, you know, just to have in mind, as we
48 kind of go through this discussion, where

1 we're really looking for input on, in some of
2 these measures, based upon either your
3 experience within the HMS fisheries, or even
4 outside those fisheries, and other fisheries
5 you may be involved in.

6 So, whether -- how to address
7 bluefin tuna interactions, in general. You
8 know, obviously we've discussed weak hooks, so
9 there are fishing gears.

10 Obviously, the wonderful world of
11 time-area closures, and the pros and cons of
12 using those a management tool, whether or not
13 we use some sort of management technique
14 that's been used in other fisheries, for
15 instance, like a hard cap, you know, kind of
16 like a choke species that's been used, whether
17 it be in the southeast -- I believe it's the
18 snapper fishery and shrimp fishery, or whether
19 it's in the New England multispecies fisheries
20 or some of the salmon fisheries and pollack
21 fisheries out in Alaska.

22 And what are some of the
23 implications of managing to a hard cap? You
24 know, we have this dynamic where we're trying
25 to revitalize swordfish, but yet we have some
26 of these other species interactions that kind
27 of keep us somewhat hamstrung, and how do we
28 balance that as we embark on these
29 discussions?

30 I've already referred to the quota
31 allocations, whether across-the-board or
32 within different categories, ultimately trying
33 to reduce waste and eliminating the need for
34 discarding fish.

35 You know, one item that has come
36 up here is, do we reassess what the commercial
37 minimum sizes are? You know, I talked to a
38 number of different folks, and there are pros
39 and cons to that, depending on where the
40 conversation stems from.

41 Again, the monitoring component,
42 and then lastly, one item that will come up in
43 some of the case studies -- and I wanted to
44 thank Bill for bringing this up a couple of
45 meetings ago is, you know, whether or not
46 there can be something outside the realm of
47 the agency where there's actually agreements
48 between industry and academia where, all of a

1 sudden, there isn't a regulation that states
2 X, Y or Z, but through partnerships and
3 through information exchange, there are ways
4 that you can address some of the bycatch
5 issues, not just in the HMS fisheries, but in
6 some of the other fisheries that the agency
7 manages.

8 So, a quick background regarding
9 some of the longline issues that we've been
10 encountering. Thankfully, I had this slide
11 ready to go for Vince's question there.

12 You know, so the fleet apparently
13 has grown by seven vessels since I put this
14 slide together, so we're about 249, about 115,
15 you know, were active when we did this. And
16 one element that we wanted to highlight is the
17 value that the longline fleet has across the
18 HMS fisheries.

19 You know, sometimes it's easy to
20 fall into the vacuum of speaking very bluefin-
21 tuna-centric, versus being able to look at the
22 contributions of gear type or a fishery in its
23 entirety.

24 And sometimes that's difficult,
25 especially with all the overlap of various
26 issues that we have to contend with both on
27 the industry side as well as on the management
28 side.

29 So, essentially, you know, we have
30 that longline fisheries targeting swordfish,
31 targeting BAYS, you know, bottom longline
32 fisheries doing sharks.

33 When we initially set up our FMP
34 bluefin tuna quota allocations, and they were
35 built, you know, mid-eighties through the
36 early nineties was kind of the timeframe that
37 they were built upon, that allocation to
38 account for incidental retention of bluefin
39 tuna and tuna landings was 8.1 percent.

40 And at this point in time -- and
41 this applies to all the percentages, that the
42 intent was to cover landings, not necessarily
43 catch, not interactions, but it was designed
44 to cover the landings, those fish that are
45 brought back to the dock.

46 And I can explain a little bit
47 more behind that in the next slide.

48 And so, by providing that

1 percentage, it was looking to strike that
2 balance point, like we do with almost any of
3 our management actions, is try to find a
4 balance between utilizing those fish that were
5 going to be encountered incidentally, but yet
6 not providing any sort of incentive for any
7 sort of directed fishery.

8 And so, that's some of the very
9 brief 50,000-foot altitude background there.

10 So, tying into what led us to some
11 of the issues that we were encountering as we
12 were doing our quota rule here in 2011. There
13 have been a number of different changes over
14 time in regards to the ICCAT recommendations.

15 And I'll have subsequent slides of
16 those that will lay out some of the numbers
17 that are associated with these bullets.

18 First and foremost is that, over
19 time, that there has been a reduction in the
20 western Atlantic bluefin tuna TAC, and thus,
21 in turn, there's also been a reduction in the
22 US TAC, and so, although those percentages
23 hang true in the fishery management plan, the
24 actual weight and tonnage that goes along with
25 them has come down.

26 The amount of quota that the
27 United States can carry forward from one year
28 to the next has also changed over time. At
29 one point in time there was no ceiling on the
30 amount of quota that we could roll from one
31 year to the next.

32 And the amount of quota, that
33 being quota that's unharvested in the previous
34 year.

35 Then, when, in turn, that was
36 capped at about 50 percent of our overall
37 quota, not necessarily 50 percent of the
38 underharvest, but it was based back onto the
39 quota, and has since been reduced to ten
40 percent at this point as per the
41 recommendations.

42 And so, for a number of years, and
43 this will, again, play out some of the graphs
44 I'll show, that we had some ballooning
45 adjusted quotas that rolled in some of this
46 underharvest, and you can kind of see how
47 that's been whittled down, both as the fishery
48 has landed some of its allocation more, but

1 also how one of the management tools that we
2 had at our disposal has become more curtailed.

3 And also acknowledging that when
4 we set up the Fishery Management Plan in 1999,
5 there was an ICCAT recommendation on the books
6 that had established an allowance to account
7 for dead discards that occurred in the western
8 Atlantic bluefin tuna to the tune of about 75
9 metric tons, of which portion the United
10 States had just about shy of 68.

11 And so, that was also another
12 major factor in setting up our percentages and
13 having them tied to landings is that there was
14 another recommendation on the books that
15 specifically spoke to addressing dead discards
16 in the Western Atlantic.

17 The second major item above and
18 beyond ICCAT recommendation changes, is that
19 there has also been methodology changes in how
20 dead discards are calculated as a result of
21 interactions with longlining.

22 We've spoken about this at a
23 number of different meetings where, in the
24 early years it essentially was a tally of
25 logbook interactions and then if there weren't
26 enough samples, you know, some observer
27 information was included, where now it's more
28 of an extrapolated process, looking at not
29 only the logbooks, but observer and expanding
30 some of those numbers out, and some of the
31 impacts that's had regarding our dead discard
32 estimates.

33 And, as I mentioned, although this
34 is all relative, you know, over the last year
35 or two, we've kind of seen some landings
36 increase, whether that be on the commercial
37 side, as early as last year in some of our
38 categories, or even going back a few years,
39 we've shown that on the recreational side that
40 we could produce some high levels of landings,
41 all within the quotas but, again, being
42 relative seeing that.

43 I believe it was 2006, we were
44 probably kind of lowest in the time series
45 that I'll be sharing through some of the other
46 slides.

47 So, to reflect back on factor one
48 here, and some of the changes in the western

1 Atlantic bluefin tuna recommendations. The
2 key items that I wanted to highlight in this
3 specific slide are highlighted there -- well,
4 I guess that's kind of gold.

5 And it kind of carries down
6 through time as you move down the table, so
7 you can see that the overall Western Atlantic
8 TAC, as I mentioned, has come down for the
9 most part over the time series and then, in
10 turn, how that's played out with the US
11 allocation where we're standing now at about
12 949.

13 In addition, also to highlight
14 some of the numbers associated with the
15 reduction in carry-forward and what that meant
16 at different times.

17 So, the first number of years that
18 the FMP was in place, it was unrestricted.
19 When we actually had the ICCAT recommendation
20 where it was capped at 50 percent, when you
21 actually started to calculate that against the
22 US TAC at that point in time.

23 We had ceilings dancing around
24 anywhere from 600 down to about 500 metric
25 tons, and all that's running on the assumption
26 that that quota was unharvested in the
27 previous years, so those were ceilings.

28 And then, how that has been, in
29 turn, reduced to a maximum of about 95 metric
30 tons. So, on those years where the fishery
31 wasn't necessarily landing quotas in full, we
32 can kind of see how that room to carry over
33 that tonnage and then manage to address
34 certain domestic issues has been curtailed to
35 some degree.

36 And we've seen this graph
37 probably, I don't know, almost in every
38 presentation, I think, we've ever given,
39 whether it be a spring or fall meeting, for a
40 number of years now.

41 But one of the elements that I
42 just want to highlight, because it
43 demonstrates it so well, is that in the -- I
44 guess if you want to say it's -- the maroon
45 bar there is the adjusted quotas. The blue
46 bar is landings and the gray bar is more the
47 base quotas.

48 And so, this is just highlighting

1 how some of these changes have played out over
2 time, whether it be directly related to the
3 quota or our landings.

4 So, you can see how, as the
5 landings decrease through the mid-2000s -- and
6 these are cumulative landings, both commercial
7 and recreational -- that our quotas increased
8 because we were allowed to roll that tonnage
9 over and that, as you move beyond, how those
10 numbers tend to come down over time to where
11 we're at in 2010, whereas, the last full
12 number we were pretty close to meeting our
13 base quotas last year and, you know, we're
14 still counting fish this year to see where we
15 end up.

16 So, to highlight the third factor,
17 and the changes in the ICCAT recommendations
18 as they apply to allowances covering western
19 Atlantic dead discards.

20 As I mentioned, you know, we had
21 about a -- you know, 75, 79 metric ton
22 allowance when we initially set up the 99 FMP,
23 and obviously that played a factor when we
24 were setting up our allocation percentages to
25 cover landings.

26 And that recommendation was not
27 continued forward, starting in 2006. So, all
28 of a sudden there was a dramatic change there
29 as far as how we -- since we did our
30 bookkeeping, and that has carried on forward
31 since then.

32 And we've had different domestic
33 tools to manage that as we've carried through,
34 but, as we go back and reflect on all three
35 items, we can see that some of the flexibility
36 there has become curtailed.

37 Just another way to present some
38 of that information. The line that starts off
39 at the top there is looking at -- and I use it
40 somewhat loosely, our longline allocation, not
41 that line in and of itself isn't totally, just
42 the US allocation would account for, say, that
43 68 metric ton set-aside, as well as some of
44 the Northeast Distant Area Set-Aside.

45 So, it's not pulled directly from
46 the fishery management plan, but it highlights
47 kind of some of the issues that -- that we've
48 been speaking to, and just some of the changes

1 over time, where some of the discard numbers
2 are up and the way we've designed the FMP, and
3 have managed it, that there now is somewhat of
4 a disconnect of how we're accounting for all
5 catch in this particular sector of the
6 fishery.

7 In coming back to this slide, and
8 although I mentioned it, it was just
9 acknowledging that -- you know, that landings
10 have been on the rise since about 2007. You
11 know, again, that being relative where the
12 2006 year was the lowest on record for some
13 time.

14 So, just another variable, whether
15 it be on the recreational or on the commercial
16 side, that we need to account for it.

17 Just to make the chart a little
18 bit more complex, it's essentially very
19 similar to the previous one. The one -- or
20 shall I say the two additional data streams
21 that I want to show here would be the -- I
22 guess you'd call it the green line, the line
23 with the triangles, which is representing
24 landings, which wasn't displayed in the
25 previous one, and then overall total catch,
26 which is the line marked with the diamonds at
27 the data points.

28 And the one item that I want to
29 display here is that, you know, overall, the
30 landings have still relatively held true to
31 the quotas, you know, over time, and so to
32 some degree, how the plan was originally set
33 up is still somewhat accurate if you were to
34 look at it in a vacuum.

35 However, you can't discredit the
36 other variables that are in play that I
37 mentioned earlier in the presentation.

38 And so, here's one of the
39 challenges that, for this particular component
40 of the fishery that we're trying to get our
41 arms around and how best to manage this.

42 And this is just one of the items,
43 you know, as I mentioned in some of the
44 earlier slides, that there are issues across
45 the fishery that I think now is the time to
46 address and -- and look forward to getting
47 everyone's feedback on all of those.

48 One item that we also wanted to

1 look at in regards to seeing some of these
2 increased interactions and trying to determine
3 cause and effect to the best of our ability,
4 was to see if there was any dramatic changes
5 in effort over time.

6 You know, obviously, if we were to
7 expand the south for 2010, we'd probably see
8 some sort of a dip in regards to some of the
9 activity that would have taken place down in
10 the Gulf of Mexico, but the overall signal is
11 that there aren't any dramatic increases, you
12 know, although the number of sets have
13 increased, the number of hooks per set, you
14 know, has remained relatively consistent over
15 the last five years or so.

16 So, there wasn't some huge spike
17 all of a sudden, at least not by looking at,
18 you know, the number of sets or the number of
19 hooks that would contribute to some of these
20 increased interactions.

21 So, trying to break down some of
22 these interactions in numbers. We can kind of
23 go down through the time series and kind of
24 see, you know, how they have increased over
25 time.

26 You know, one thing I do want to
27 acknowledge here is that I didn't have the
28 opportunity to get 2010 numbers on here, but
29 when you look across the time series, 2009,
30 you know, was a rather large year for
31 interactions, and that wasn't just bluefin
32 tuna.

33 You know, the swordfish landings
34 coming out of 2009 were very solid as well,
35 and that pattern hasn't seemed to continue as
36 we look at 2010 information.

37 So, this isn't a continuing upward
38 trend, when you continue to look at 2010 and
39 probably into 2011, although that's still yet
40 to be seen but just that, overall, the sense
41 of interactions are up and, you know, we could
42 all speculate on, you know, some of the
43 potential causes there, you know, are there
44 more fish offshore versus inshore.

45 Is it just the way the water
46 breaks have been. There's a whole litany of
47 variables that the folks around the table will
48 have more expertise in sharing back than I

1 could speak to.

2 So, most of that was kind of
3 highlighting what we've been discussing over
4 the last number of meetings, and kind of being
5 true to what we had done when we were
6 discussing some of the recreational monitoring
7 tools of prior meetings, we kind of took the
8 same approach in looking at other programs
9 that exist at least within the agency and then
10 to our brethren to the north, to see how they
11 deal with some of their bycatch issues in
12 their fisheries in an attempt to maybe not
13 necessarily reinvent the wheel, but to see if
14 there are lessons to be learned in some of
15 these other fisheries that have had bycatch
16 issues and to see if some of the lessons
17 learned there are applicable to our fisheries
18 here, whether or not some of the spatial or
19 temporal dynamics can come into play.

20 Or, if it even just provides
21 fodder to get some thoughts out on the floor
22 of ways that we could potentially could be
23 thinking as we address some of these issues on
24 a longer-term scale.

25 And again, there's much more
26 detail in the actual white paper than what's
27 in the presentation.

28 I've kind of boiled it down here
29 into -- just into some tables hitting some of
30 the highlights. And so, in the Gulf of Mexico
31 shrimp fishery, you know, bycatch of red
32 snapper has been quite -- quite an issue to
33 say the least and so, in some of the
34 management approaches, how they are addressing
35 that.

36 And some of these have similarity
37 to some of the regulations we have in place
38 for HMS, is that they assess on an area basis
39 how bycatch played out in a given year, and
40 if, all of a sudden certain bycatch thresholds
41 were exceeded, well, there were actions taken
42 in the subsequent year, whether an area
43 happened to be closed.

44 And that's kind of the take-home
45 point, hoping there may be some folks around
46 the room that have a little bit more in-depth
47 knowledge that they could share as part of the
48 discussion, but that was kind of the salient

1 point of that.

2 If you happen to exceed a bycatch
3 target in a certain area, that -- well, there
4 were certain actions taken in the subsequent
5 year, whether that area was closed.

6 And so, for monitoring, very
7 similar to ourselves, observers, logbooks, and
8 some port inspections.

9 And to date, it's my understanding
10 that there have been ways to stay off of those
11 bycatch species which have not warranted any
12 closures in those areas in the subsequent
13 year.

14 I don't necessarily have all of
15 the details of some of the methods that were
16 used to avoid bycatch, at least in this
17 particular case study, but I do have one in
18 the subsequent case study that we looked at.

19 And so, this one here is in the
20 Northeast area, and this one is dealing more
21 with the directed scallop fishery but yet the
22 bycatch species is yellowtail flounder.

23 And there were a number of
24 different closed areas designed to protect
25 multi-species but yet, as a direct result of
26 those closed areas, the scallops in them --
27 well, let's just say dinner plate.

28 And so, trying to find a way to
29 balance the different fisheries and to provide
30 some access in a directed fishery but yet
31 still keeping it off of some of the -- the
32 bycatch species there.

33 And this one really ties into that
34 collaborative effort between academia and the
35 industry where the University of Massachusetts
36 has partnered up with -- with the scallop
37 fishery and outside of the -- the intrusion of
38 "Big Brother," that they are exchanging
39 information, not only on their bycatch species
40 but now they've grown confident enough where
41 they are sharing their directed catch
42 information as well.

43 And because there's
44 confidentiality agreements, that the
45 university then compiles that information and
46 then distills it down into a grid to show
47 where there are areas of high bycatch versus
48 low bycatch, and then that gets disseminated

1 out to the fleet so they can relocate their
2 efforts so they can stay on the scallops,
3 remain in the closed areas longer versus
4 hitting some of those thresholds and then
5 being forced to move out into open areas which
6 may not have the same economic gains if they
7 are able to fish some of those -- those larger
8 scallops in the closed areas.

9 And so there's observers,
10 logbooks, dealer reports there as well, and
11 again, so far, from the captains I've spoken
12 with, as well as the -- those involved in the
13 monitoring, that effort has gone very well.

14 Whether or not there's
15 applicability there, obviously, it's a very
16 tight geographic area, but whether or not that
17 concept has merit in the longline fishery, and
18 has yet to be seen.

19 Looking at some of the Alaskan
20 fisheries where the target fishery is the
21 Bearing Sea Pollack, but yet they do encounter
22 king salmon, which is essentially a prohibited
23 species, and some of their management methods
24 kind of are sensible down to kind of a quasi-
25 sector/ITQ where -- where there are
26 allocations of what they are allowed to
27 interact with on an annual basis and yet they
28 can procure a higher allowance through
29 incentive -- incentive plans.

30 And, in these fisheries, there is
31 a hundred percent observer coverage and, you
32 know, the annual reports that get kicked out,
33 you know, kind of summarizing, I guess similar
34 to a New England sector annual report.

35 And then there can be some trading
36 that takes place in those as well. You know,
37 again, trying to keep the fisheries open but
38 balancing some of the bycatch species whether,
39 you know, some vessels, if they don't
40 encounter them as often, they can trade some
41 of those shares to those that do, which is
42 very similar to the Northeast ground fish.

43 You know, here the sectors -- and
44 I know this didn't come up in a number of the
45 bluefin tuna quota meetings where I was told
46 that HMS is using sectors to manage the
47 fishery.

48 And although I would agree that

1 there are similarities, I would also caution
2 individuals that there is a definitely more
3 in-depth process to actually implementing a
4 sector management where you're getting down to
5 the individual vessel, and their catch history
6 and everything that goes along with it.

7 So, acknowledging the similarities
8 where we do have categories and we do have
9 quotas, whether or not that does need to be
10 more refined where, all of a sudden, there are
11 actual more formal allocations set out to what
12 we're currently referring to as our quota
13 categories.

14 And then, changes to some of the
15 regulations as they pertain to each of those
16 categories, can you start to address minimum
17 size limits. Do you require all fish to be
18 landed? Can you then, in turn, trade some of
19 the allocations.

20 Right now, the agency has the
21 ability to do some in-season as well as annual
22 year quota transfers, but it's also come up in
23 previous conversations whether or not, you
24 know, categories should be able to do the
25 same, whether a recreational fishery wants to
26 purchase purse seine quota, or a harpooner
27 wants to purchase longline quota, or vice
28 versa, whatever those dynamics may be.

29 And then, the last case study that
30 we looked -- and I think this was coming out
31 of some of the discussion last year, it was
32 just how -- how the Canadian Longline Fishery
33 is managed where they do have incidental
34 quotas, although they are allowed to transfer
35 some of their tags.

36 They actually have tags that you
37 need on board the vessel, kind of like Ron was
38 referring to in the recreational fishery, that
39 you need to have a tag on board to be able to
40 go out and fish, so any bluefin tuna
41 interactions you have are tagged and brought
42 back to the dock.

43 So, they do have some of that
44 trading dynamic involved between the directed
45 incidental fisheries. You know, is that
46 something we would want to potentially
47 entertain.

48 And then, all the monitoring

1 requirements that have come up, whether it be
2 through a VMS, whether it's a hail-in, hail-
3 out, you know, the logbooks, the dockside
4 monitoring, observers, and then, you know,
5 what that means in regards to discards, you
6 know, does that allow more fish to come back
7 to the dock.

8 I guess one thing to note is that
9 some of the geographic areas that the Canadian
10 fisheries operating in may not have the same
11 variety of size classes that our own fleets
12 are encountering as we move up and down the
13 East Coast and into the Gulf of Mexico.

14 So, that's one variable that is
15 starkly different from how some of their
16 fisheries operate.

17 So, I think these bullets here are
18 just summarizing what I've already stated.
19 But, I guess I'll run through them all the
20 same.

21 You know, so a quota for
22 incidental bluefin tuna, you know, closed
23 areas, whether or not, you know, that would be
24 something, you know, where you'd want to
25 entertain.

26 Again, the industry, academic
27 model, you know, time, area closures. More,
28 less, refined. You know, everything that goes
29 along with trying to do those sort of
30 analyses.

31 And we started to scratch the
32 surface there. I'll have a few charts that
33 will look back, I think, from 2007 to 2009,
34 kind of showing some of the bluefin tuna
35 interactions and those efforts are still
36 underway. So, we're still continuing to look
37 at that.

38 Whether or not how we address
39 sectors in HMS, whether that needs to be
40 refined, looked at, whether the development of
41 incentive plan agreements amongst industry
42 members of -- you know, if there happens to be
43 one geographic area or one subset of a group
44 that tends to be having more interactions
45 that's impacting the entire fleet, are there
46 ways that we can set up certain agreements
47 that provide incentive to change some of those
48 behaviors. That's kind of the Alaskan model.

1 And, you know, do you address
2 incidental quotas, you know, again, that kind
3 of gets at the allocation issues of how do you
4 manage directed versus incidental, and
5 everything that goes along with it, and some
6 of the plans that are out there, whether, you
7 know, an ITQ is warranted.

8 So, the next four slides will kind
9 of get at some of those bluefin tuna
10 interactions over the last number of years,
11 and then the last side kind of compiles it so
12 it's more of an aggregated look over the last
13 couple of years, and how this kind of plays
14 out with some of the closed areas.

15 Now, please keep in mind that, you
16 know, due to privacy concerns that we've
17 distilled this information down to one-degree
18 areas, so that the resolution of exactly where
19 some of these sets interaction is, isn't right
20 on the money.

21 And, I'm not even sure some of
22 that detail is going to come out, but if it
23 doesn't, we can look back at the hand-out's
24 and, if not, we'll make sure that we have
25 color copies where some of the -- they are
26 color? Okay. Great. -- where some of that
27 resolution might be easier to see versus up on
28 the screen here.

29 But, some of the take-home message
30 is that --

31 MS. SCHULZE-HAUGEN: Just to jump
32 in, if folks are trying to look for this in
33 color, it's the full page size. I think Rick
34 Weber can hold it up. So, folks that are
35 looking at the actual hand-out's of the
36 PowerPoint, it won't be as clear there. It's
37 the larger color slides.

38 MR. MCHALE: No worries. Thank
39 you.

40 So if you all would to your
41 hymnal, page 33. So, again, you know, we're
42 really just starting to look at these -- this
43 sort of information as it relates to time-area
44 closures and where interactions are taking
45 place, whether or not there are hot spots
46 where interactions are occurring, and some of
47 the variables that may be leading to it.

48 Are they temporal, you know, are

1 there, you know, certain pockets of water that
2 move in that create some of these
3 interactions.

4 And, trying to get our mind
5 wrapped around this because, again, it's not
6 all about bluefin, as much as I'd like to
7 believe it is, that a lot of these time-area
8 closures weren't designed to address sole-
9 bluefin tuna interactions.

10 We're looking at whether it be
11 juvenile swordfish, whether it's billfish.
12 And so, kind of that same dynamic where you
13 need to look at the big picture versus
14 something in a vacuum, is really what we're --
15 we're embarking on now as we move forward.

16 So, I'm actually not confident
17 that, kind of going through these in fine
18 detail in front of the entire group right now
19 is the best use of the time, versus maybe a
20 little bit more one-on-one, so folks actually
21 have an opportunity to review the slides and
22 may have questions in that one-on-one
23 dialogue.

24 MS. SCHULZE-HAUGEN: Just a couple
25 of points about them. So, it -- the first
26 three slides are by year, '07, '08, '09. The
27 last slide is all three years combined. The
28 scales are the same, except for the slide
29 that's combined and then you'll see the scales
30 are essentially the same, but times three
31 because it's three years.

32 And so, you can see the X's are
33 where sets were made, but no bluefin were
34 caught. And then it goes up by the same size
35 bins, and then the last bin is -- provides the
36 upper range for that year.

37 So, just as you're looking at it,
38 some information -- we tried to keep it
39 consistent so you can focus on more of the
40 temporal patterns versus specifics.

41 MR. McHALE: And so essentially,
42 you know, getting at some of the information
43 that's contained here, you know, in the chart,
44 you know, wanted to get at some of that
45 information, at least by some of the
46 geographic areas, you know, in more of a table
47 format, so it's kind of getting that catch,
48 you know, being defined as not only our

1 landings, but as well as our dead discards,
2 not necessarily those fish that were at least
3 alive.

4 And how some of the -- over time,
5 some of these interactions have increased in
6 different areas, decreased in others, you
7 know, for -- across the entire time series,
8 you know.

9 You know, just looking at the last
10 three years, you know, again, 2009, you know,
11 we had a lot of interactions, again, both
12 target species as well as some of these
13 bycatch species in the Northeast Distant area.

14 And there are a number of things
15 that have changed, you know, since these
16 numbers were produced. Obviously, in 2010 we
17 had the BP event. We've got weak hooks now in
18 place so it will be very interesting to see
19 how -- how some of these numbers evolve over
20 time, given those changes.

21 So, trying to bring it back around
22 to some of the initial slides I presented, and
23 kind of highlighting the problem statement
24 that we have is where our current adjusted
25 quotas, you know, may be insufficient to cover
26 all sources of our current mortality, at least
27 at the levels that it is.

28 You know, so we're really looking
29 for, again, that dialogue. We don't have any
30 hard proposals on the table right now, so
31 we're really looking for that in-depth
32 dialogue of ways that we can move forward with
33 that attention, not only for to say what to do
34 now or what to do next year, but given some of
35 the time horizons will run, you know, 2013,
36 2014, and to look outside the box, inside the
37 box, under the box, over the box, around the
38 box.

39 You know, as we start to develop
40 our mind set and start to move towards an FMP
41 amendment if it's warranted, the more input we
42 have and the more frank dialogue we have up
43 front, the less likely it is we're going to
44 miss something as we start to refine it more
45 and more.

46 And so, these are the same bullets
47 I had, you know, up in some of the initial
48 slides, of trying to reduce the bluefin tuna

1 interactions through all the various means
2 that we've highlighted, whether or not some
3 sort of quota adjustments are needed when it
4 comes to allocation, both external or internal
5 to individual quota categories.

6 You know, how do you just reduce
7 waste, period? You know, and how do you
8 account for that, to minimize our discards,
9 whether or not sector management or some other
10 form of sector management is warranted.

11 Obviously an underlying issue for
12 all of these is improved monitoring, how do we
13 kind of get at that, both at the longline
14 fishery, recreational fisheries, commercial
15 hand gear fisheries.

16 How do we improve the information
17 we're using to manage this fishery, and what
18 sort of actions can be taken that don't
19 involve the agency as a whole, whether or not
20 some of those cooperative agreements with
21 academia actually have merit.

22 And then, items that, you know, we
23 haven't spoken to, haven't thought about,
24 completely missed, that we'll be looking, you
25 know, to folks who make us aware of those
26 because I definitely cannot claim to be an
27 expert in any of this when it comes to trying
28 to find an easy answer, otherwise, well, we
29 probably would have come to it a good number
30 of years ago.

31 MS. SCHULZE-HAUGEN: Maybe if I
32 could just add a couple of words, too. If you
33 remember, a couple of years ago, most of our
34 bluefin discussion at the AP was focused on
35 the recreational fishery and, you know, we did
36 a similar exercise of looking across other
37 fisheries management.

38 The results has been we did not
39 amend the FMP. We were making choices within
40 the regulations that we had and had very low
41 retention limits. And we've been living
42 within those for some time.

43 And so, part of the reason that
44 we're presenting the detail this time on the
45 longline is because some of those issues have
46 -- have persisted, and so we're trying, as a
47 first step to, again, get everybody on the
48 same page with some of the facts, and try and

1 open the dialogue now.

2 No decisions have been made. At
3 this point, just looking for your input on --
4 on where we go from here.

5 MR. BROOKS: Thanks. And what I'd
6 like to do is open it up to discussion. But,
7 before we just open it to general discussion,
8 I would like to see if there are clarifying
9 questions, questions you have on any of the
10 information that Brad just presented that
11 would be -- should be revisited before we open
12 up to more general comments.

13 So, I have a -- see a number of
14 cards up. Who has clarifying questions?
15 Okay. So, great. We'll start with Rick in
16 the corner, and then Rick, Steve, Rich, Gerry.
17 Ready? Here we go.

18 MR. WEBER: Brad, just on slide 17
19 there, PLL interactions with BFT, number of
20 fish. I don't know what numbers go into the
21 total.

22 You can do it -- on your paper
23 it's page nine.

24 MS. SCHULZE-HAUGEN: So you are
25 looking for source?

26 MR. WEBER: I think that may have
27 just gotten source --

28 MR. McHALE: Federal math. It's
29 the same math that balances the budget each
30 year.

31 MR. BROOKS: It is the --

32 MR. McHALE: No, actually, you
33 know what, I might have -- not "might have,"
34 I did. I made an error in modifying -- I'd
35 have to go back to the white paper itself, and
36 see what numbers are there.

37 I may have removed a row that
38 threw the totals off. And I'm guessing that's
39 what's occurred here. So, again, Federal
40 math.

41 MR. BROOKS: Thanks.

42 Steve. I mean, Scott. Did you
43 have a question?

44 MR. TAYLOR: My question goes to
45 about page three, about the economic value of
46 the Pelagic Longline Fishery. How did you all
47 come up with 13.4 million?

48 I mean, but it doesn't make any

1 sense to me. Is that for -- supposed to be
2 for the entire pelagic longline licensed fleet
3 in value of product?

4 MR. McHALE: So, it is my
5 understanding that these numbers were derived
6 from our safe reports that we issue on an
7 annual basis, and so that would be the sales
8 of not only Atlantic tunas, swordfish, BAYS
9 tunas, all derive from the pelagic longline
10 fleet.

11 MR. TAYLOR: My estimation is that
12 if you multiplied that number by about ten you
13 might be closer. And so, you know, if you're
14 going to have a discussion about the value or
15 the impact of the commercial sector fishery,
16 it's kind of helpful to have as accurate a
17 number as possible.

18 I mean, we're a small, little
19 company, and I've got half of the US landings
20 within the last seven or eight months,
21 probably, based upon that number and value.

22 MS. SCHULZE-HAUGEN: I believe
23 this is based on the cost earning survey that
24 is sent out to a selection of dealers. It
25 collects the economic data, would be X vessel
26 value.

27 So, it would be the value reported
28 back to the agency on prices given at the
29 point of landing.

30 MR. BROOKS: Rich had a clarifying
31 question.

32 MR. TWINAM: On the Canadian PLL
33 Fleet, I didn't really understand what they
34 did, but the outcome was low discards. So, I
35 didn't understand how they achieved that by
36 reading transfers between the incidental and
37 directed categories?

38 Is that something that could apply
39 to ours?

40 MR. McHALE: That is actually one
41 of the questions we're putting back out to
42 you. So, how it's actually -- my
43 understanding of how it's done in Canada is
44 that they are allowed to transfer, and it is
45 a tag base.

46 So, whether you're a directed
47 fishery, incidental fishery, you have to have
48 a certain number of tags to cover any bluefin

1 tuna interactions that would occur on that
2 said trip, and that there are transfers
3 allowed from the directed fishery to cover
4 some of those incidental harvests.

5 So, they do allow that transfer to
6 occur. In regards to the discard issue,
7 there's a couple of different variables that
8 come into play there.

9 One is that their commercial
10 minimum size is consistent at the ICCAT level,
11 and so they have a smaller commercial minimum
12 size than we, the United States, do.

13 We also have the target catch
14 requirements that are in place. So, for our
15 pelagic longline fleet, we have a three-tiered
16 system where you have to have X, Y or Z
17 poundage of target catch, whether it be
18 sharks, BAYS, tunas, swordfish, that then
19 allow for a bluefin tuna to be landed.

20 Very, very different in Canada.
21 Another variable that they have is that they
22 allow some of their vessels to be, for all
23 intents and purposes, dual-permitted, that
24 they could have that incident, a longline
25 permit, but also can simultaneously hold a
26 directed permit, and so that there's some
27 blurring of the lines there as well.

28 MR. BROOKS: Thanks.

29 Rich. Clarifying question.

30 MR. RUAIS: Thank you. This is my
31 -- just a question. I do have a number of
32 comments to make later on.

33 But, Brad, I was surprised to
34 learn that the base used for the initial
35 allocations was 83 in the 99 FMP was the 83
36 through 1991 catches.

37 You're pretty confident that that
38 was the case that's referenced in the FMP
39 somewhere that that was the base, there was no
40 combination of -- I didn't recall it that way,
41 I guess.

42 I recall that it was a combination
43 of preregulation and postregulation, because
44 that's all postregulation. The quotas were
45 already set in '82 with the first scientific
46 monitoring quota.

47 They were actually informally set
48 after the 1974 agreement to cap effort at

1 recent levels. Quotas were actually set
2 between the categories at that point in time,
3 but we chose or NMFS chose, when the FMP in
4 '99 was being done, to use the '83 through '91
5 period.

6 In any case, you don't have to --
7 if you don't have the answer now, that's okay.
8 I don't expect you to have everything on the
9 top of your brain, because I certainly don't.

10 But the other question I'd have,
11 similar to Scott's comment before, that I was
12 somewhat surprised at was the -- on the bottom
13 of page two, the suggestion that -- about the
14 2010 bluefin tuna landings produced a gross
15 revenue of about \$900,000 and the landings
16 were 89 metric tons. That comes out to about
17 \$2.18 a pound.

18 Now, I knew -- we all know that
19 PLL landings of bluefin are probably the
20 lowest value bluefin landed in the United
21 States, but that's really low. I really
22 didn't think it was that low.

23 So, I -- well, it is what it is,
24 if that's what it is, but that -- that strikes
25 me as being low.

26 And then, I reserve my comments.

27 MR. BROOKS: Duly noted. Thanks,
28 Rich.

29 MR. RUAIS: Yes. And we'll go
30 back and we'll verify that again and make sure
31 I didn't make any errors.

32 MR. BROOKS: Thanks.

33 Larry.

34 MR. ABELE: I just wanted to make
35 sure -- I'm reading the slide six. If there
36 is 116 vessels and 13.4 million, that's an
37 average of \$115,000 a vessel. How could they
38 stay in business? I mean, could that be
39 right?

40 MR. McHALE: Well, one thing we
41 note here is what we've defined as an active
42 vessel, and I think that will probably get to
43 the heart of it.

44 So that, provided a vessel had
45 made at least one set during that time frame,
46 we considered them active in the HMS Fishery.

47 However, a lot of these vessels
48 have multiple different permits, so some -- I

1 would not anticipate that all 116 are active
2 at the same levels across the entire fleet.

3 I might have to defer to maybe
4 Terri to confirm or deny that, but there's
5 definitely different levels of participation
6 hidden within the numbers.

7 MR. ABELE: If this is not a
8 clarifying question, I'll drop it, but I --
9 does anyone know the reasons for the discards?
10 Is it undersize, no quota, shark damaged?

11 MR. MCHALE: The quick answer is
12 yes. All of the above, that a lot of it can
13 be attributed to regulatory discards, where we
14 do have commercial minimum sizes. We do have
15 target catch requirements.

16 However, there are also
17 interactions with fish that are even beneath
18 the commercial minimum size. You know, not
19 only just here domestically, but also the
20 ICCAT minimum sizes.

21 So, those are some of the
22 variables that come into play that trigger the
23 discards. I would say that the target catch
24 requirements are probably a rather significant
25 one.

26 And then, above and beyond that is
27 just quota overall that we're trying to manage
28 the fisheries to those percentages in the
29 equivalent tonnage year in and year out.

30 MR. ABELE: Last question. That
31 would mean, then, in table 2 in the white
32 paper, that you're throwing away 30 percent
33 more than you're keeping.

34 You've got, under dead, totals
35 over a thousand metric tons, and under
36 landings, 730. It just seems like a huge
37 waste. Is that correct?

38 MS. SCHULZE-HAUGEN: What number?

39 MR. ABELE: Table 2 in the white
40 paper, page six. Just totaling the landings
41 in the fourth column, and the total dead
42 discards, one total, 731 metric tons, and the
43 other is 1,021 metric tons.

44 So, you're dead discards are 30
45 percent more than what you land.

46 MS. SCHULZE-HAUGEN: Okay. I'm
47 sorry. I don't see those numbers. What --

48 MR. ABELE: Well, you have to add

1 up the columns.
2 MS. SCHULZE-HAUGEN: Well, but the
3 last column is the total catch.
4 MR. ABELE: No.
5 MS. SCHULZE-HAUGEN: Oh, he's in
6 the rows.
7 MR. BROOKS: He's summarizing over
8 time.
9 MR. ABELE: Right. Right.
10 MS. SCHULZE-HAUGEN: The rows.
11 MR. ABELE: And -- well, still
12 you've got one, two, three, four, five, six --
13 seven of the years discards exceed
14 significantly landings. I just wanted to make
15 sure that's correct.
16 MS. SCHULZE-HAUGEN: Yes. I think
17 that is.
18 MR. BROOKS: Yes.
19 Gerry.
20 MR. LEAPE: Yes. Thanks. I had a
21 clarifying question back to slide 17 on page
22 nine, in the column "discarded alive."
23 Are there any -- should we assume
24 they're all happy fish or is there any
25 assumption of mortality because as we're
26 trying to wrestle with this problem, it's
27 important to know, sort of what the
28 assumptions are that are being made and what,
29 you know, the potential impact it does or does
30 not have.
31 MS. SCHULZE-HAUGEN: So this would
32 be from the observers, that the fish swam away
33 from the boat.
34 MR. LEAPE: I'm sorry. So there's
35 zero assumed mortality for discarded live?
36 MS. SCHULZE-HAUGEN: I believe
37 that is correct. I can confirm that with the
38 scientists.
39 MR. LEAPE: Okay. Thanks.
40 MR. BROOKS: Thanks.
41 Chris.
42 MR. WEINER: This might not be a
43 clarifying question. It might be more
44 rhetorical, but just shut me down. If so, I
45 have a comment to make to it.
46 Why is it that so many other
47 countries have such low discards when they are
48 fishing the same way our fleet is? Maybe even

1 less restrictive than our fleet is.

2 Is there something -- you know, I
3 mean, I have my assumptions, but what is the
4 agency's assumptions on how, for example,
5 Japan and all these other countries that fish,
6 in arguably much less restrictive manner than
7 our fishery, how they -- I mean, Canada, I
8 mean, low discards.

9 I mean, I still haven't heard a
10 good reason for why they have low discards.
11 I mean, I think their time-area closures are
12 -- I think they do have some good closure, but
13 isn't it possible that some of these
14 countries, or every other country besides ours
15 isn't reporting discards?

16 MS. SCHULZE-HAUGEN: So, hang on.

17 MR. BROOKS: Let's let --

18 MS. SCHULZE-HAUGEN: I think,
19 John, can --

20 MR. BROOKS: John Graves is going
21 to weigh-in on that.

22 MR. GRAVES: The big difference
23 is, is that they use the ICCAT minimum size of
24 47 inches or 30 kilos for their commercial
25 fishery. We don't.

26 And right there you have a huge
27 class of fish which are being discarded. But
28 as to the reality of other programs, I'm not
29 saying the other countries are clean by any
30 means, and I can give you a huge number of
31 examples, that that's not the case.

32 But, certainly a big factor, but
33 not the only factor, is the fact that they use
34 a smaller -- they use the ICCAT accepted
35 minimum size. The United States does not.

36 MS. SCHULZE-HAUGEN: And so also
37 to that, I think they do not have target catch
38 requirements and I believe that they are
39 transferring quota from directed categories to
40 cover the incidental catches.

41 So, those catches become landings
42 as opposed to discards. So, I think there's
43 a number of fairly significant differences.

44 MR. BROOKS: And, yes, that was
45 right on the edge of a clarifying question.

46 I've got Andre and then Terri and
47 then I think that does the clarifying
48 questions.

1 DR. BOUSTANY: My clarifying
2 question was on slide 26, looking at the map
3 of the total 2007 to 2009 pelagic longline
4 interactions.

5 Just looking at this real quickly,
6 it looks like the -- there's two points off of
7 North Carolina that constitute at least 601
8 points, and that I'm assuming one of them 1153
9 interactions.

10 So, that's a minimum of 754 fish
11 out of 5259 total fish in the entire data set.
12 That's a third of the entire interactions is
13 in the whole ocean.

14 I don't remember seeing a hot spot
15 like that in previous years, either observer
16 or logbook data set. Is that new with the age
17 structure of the fish that we've had in the
18 recent years, or -- any comments on that would
19 be appreciated.

20 MS. SCHULZE-HAUGEN: No, I don't
21 think it is new, and I think you'll see it in
22 the individual years that we have here. This
23 is something -- a similar slide was presented
24 at previous panel meetings, as well, that
25 showed a similar trend.

26 DR. BOUSTANY: I just don't
27 remember it being that distinct before 2007 in
28 the other -- in those data sets and don't --
29 I might be mistaken about that, but I think I
30 would have noticed that before. It's pretty
31 striking.

32 MS. SCHULZE-HAUGEN: Well, as Brad
33 mentions, this is the beginning of the kinds
34 of analyses that would go into this kind of
35 thing, and so these are the kinds of questions
36 we can, you know, make sure that we look into.

37 MR. BROOKS: Thanks.

38 Terri.

39 MS. BEIDEMAN: Okay. Well, I'm
40 glad that Chris brought that up because I --
41 that was going to be my question. Do you
42 think that any other country is sitting around
43 doing this type of thing to their industries?
44 That's rhetorical. I don't think so.

45 But, I was looking forward to this
46 comprehensive review, and I really wanted to
47 bring it right back to the very, very
48 beginning, okay.

1 In 1981 the first involvement I
2 ever had with NMFS was writing to Dick Rowe,
3 complaining about having to have my husband
4 complaining to me about having to cut off
5 bluefin tuna, perfectly good bluefin tuna,
6 maybe not as valuable as day-old tuna, but
7 still composed our catch.

8 So, I want to know outside of
9 known spawning areas, why can't we take a look
10 at whether or not, you know, pelagic longlines
11 should be considered bycatch?

12 I mean, we keep getting wrapped
13 around this, and I realize that this is a
14 touchy issue, but you know what, other
15 countries in the Atlantic use pelagic longline
16 gear to target bluefin tuna. We do not, you
17 know, and have not.

18 And all of our catches, our
19 landings, have all be skewed by these
20 restrictions, some of which were -- you could
21 land a fraction of a fish, you know, like for
22 periods of years in the north, you could land
23 a fraction of a fish, depending on how much
24 catch you had and where you were.

25 So, I want to know why we aren't
26 discussing whether or not -- I know that the
27 shoes have to, you know, the toes have to fit
28 in the shoe, and all of us, we have to take a
29 look at -- at all of our fisheries.

30 We have directed swordfish
31 fishing. Other tuna fishing. We catch -- the
32 pelagic longline fleet catches a very large
33 percent of the HMS species that we go to ICCAT
34 and report.

35 We only catch -- you know, not
36 land, but catch, you know, it appears
37 somewhere in the 27 percent recent history,
38 you know, for bluefin tuna.

39 But for other things we are --
40 virtually all the swordfish, 70 percent of the
41 big eye, 60 percent of the yellowfin. So, all
42 of these percentages, you know, are what we
43 are -- we need to take a look at having year-
44 round fisheries.

45 Pelagic longline interactions with
46 bluefin, these number of fish on slide 17, I
47 would like to have proper numbers so that I
48 can use them. And, they certainly don't add

1 up.

2 So, if you can get that for me,
3 that would be great. And I'll have other
4 things to say as we go on, but thank you for
5 that.

6 MR. BROOKS: Well, the good news
7 is you end up with a clarifying comment. So
8 -- but that was the perfect segue to -- I
9 don't see any other cards up for clarifying
10 comments.

11 So, what I would like to do is use
12 the last 15 or 20 minutes or so of this
13 afternoon -- and again, we've got all morning
14 to talk about this.

15 But, just to try and get some
16 initial thoughts and, you know, Terri, I think
17 you framed a good initial thought for folks to
18 be thinking about and, you know, invite others
19 around the table to, as succinctly as you can,
20 because it would be nice to get a few voices
21 into the mix here before we adjourn for the
22 afternoon.

23 How do think about the question,
24 Margo and Brad, and their team have put before
25 you today?

26 So, start with Rich and then work
27 our way onto others.

28 MR. RUAIS: Okay. I am sure I'm
29 not going to get everything out that I wanted
30 today, but I am glad we are going to talk
31 about this tomorrow.

32 And, just as a closing comment to
33 Terri and Chris's comment, I actually counted
34 in the ICCAT international agreement
35 compendium, there are seven countries in ICCAT
36 that both have allocations of swordfish and
37 bluefin.

38 Only two of them report discards.
39 So, it's hard to believe that -- that the
40 other five countries somehow have this
41 perfectly balanced situation where they, you
42 know, transfer quota among other -- you know,
43 give me your -- what you would have to discard
44 and I'll land it legally under my quota.

45 It's just hard to imagine these
46 countries that have been so noncompliant with
47 everything else miraculously can divvy up
48 amongst the users to make sure they properly

1 land every pound fish and don't discard any.
2 But anyways, that's not -- that's not my
3 comment.

4 What I wanted to say was, first,
5 thank you to the HMS staff. Brad and staff,
6 for doing a real good job on the stocking.
7 It's very, very helpful.

8 But I also want to make sure that
9 it doesn't obfuscate or scare people away from
10 the primary issue that's bringing this to a
11 head once again this year, and that -- and
12 that is that the -- within the PLL category,
13 the 8.1 percent, which, in our view, is the
14 landings and discards TAC, because of discards
15 is being grossly exceed year after year, after
16 year.

17 And the combined factors that Brad
18 points out in this document, I agree with all
19 of them. We all know that that's what it is,
20 reducing the roll-over amount, you know, the
21 reduction in -- the reduction in the TAC in
22 general.

23 You know, we fought -- we fought
24 as hard as we could against reducing that from
25 50 percent to ten percent. That was all
26 staff. We couldn't win that battle. We saw
27 no biological reason.

28 We understood the balance between
29 stockpiling, but yet a need for a reasonable
30 rollover -- and we thought we reached it at 50
31 percent, but there were others that pressed
32 for harder, and that put a crimp in the amount
33 of fish that was available to the longline
34 category.

35 But you have to come down to the
36 fact that we have this allocation pie, if you
37 will, and the bottom line is that 8.1 percent
38 -- and by the way, when it was formed in 19 --
39 if it was -- if it was on the basis of 1983
40 when it first came out, it was not only for
41 pelagic longlining.

42 It was called the incidental catch
43 categories, and there were four groups that
44 were allowed to contribute to that. Traps
45 were allowed to contribute to that purse seine
46 catches, when they were in their giant fishery
47 catching school tuna were allowed to
48 contribute to that.

1 Mobile gear was allowed to
2 contribute to that. That 8.1 percent was
3 shared, and it became, over time, those other
4 groups -- the trap got a separate quota, but
5 the PLL took over the 8.1 percent.

6 And according to -- if you'll look
7 at the history, if you'll go back into the
8 history, preregulation, you'll see that the
9 8.1 percent was a -- was quite a generous
10 allocation to PLL at that time because the
11 history from 1960 to 1982 was somewhat -- was
12 very small.

13 They never landed more than 17
14 metric tons. I've done the research to show
15 that. So, you know, for the last three or
16 four years it seems as though, Margo, we come
17 to the meeting and -- and we're asked the
18 fundamental question, do you -- as
19 stakeholders in the fishery, do you think that
20 there are fundamental changes required to the
21 bluefin tuna FMP, to the tuna's FMP in order
22 to fix the problems.

23 And consistently the almost
24 unanimous feedback to you is no. We have
25 minor issues that constantly need tinkering
26 and timely management adjustments and things
27 like that.

28 In this case, if there was
29 acceptance that the 8.1 percent represents
30 landings plus discards, and that's your TAC,
31 and then you have a stop in the fishery. The
32 fishery has to stop. You can no longer use
33 that gear.

34 Very similar to the language that
35 has always applied to the purse seine fleet,
36 when you're out of bluefin tuna quota, purse
37 seine vessels can no longer use that vessel to
38 go fish for skipjack, yellowfin tuna or any
39 other tuna species where -- where it's
40 possible that they will catch, as a bycatch
41 bluefin tuna.

42 And that's the way -- that's the
43 way the longline closure provision should have
44 been written and wasn't written.

45 We have language to show that. We
46 have the purse seine language, and we have it
47 compared to the current longline language,
48 which we find flawed.

1 Am I talking too soon, too -- all
2 right. Well, there will be more time
3 tomorrow, but that's just one of the points
4 that I wanted to make. There's a lot more.

5 MR. BROOKS: That is good. I
6 really wanted to get a scan of ideas.

7 MR. JAMES: As our bluefin tuna
8 recovery occurs, it's pretty much a given that
9 our interactions with the bluefin tuna with
10 the pelagic longline fleet is going to
11 increase as well. We know that's going to
12 happen.

13 With that said, as the gentleman
14 over here from the Pew Foundation pointed out
15 -- unfortunately, I can't see your name tag
16 from here, but any question -- no, I can't
17 read it, so it's pretty much pointless.

18 With that said, we ought to be
19 able to account for some of our live discards
20 as -- instead of being dead discards.

21 I think that was the point you
22 were making earlier, that everything is
23 assumed to be dead, when the reality is, it's
24 not dead, and that perhaps we can kind of
25 tweak our dead discard factor to account for
26 some portion of those fish that may be --

27 And, Margo, you're looking at me,
28 because I think you're going to clarify that
29 assumption where maybe we're both confused on
30 that topic. But, hold that one. I just get
31 a couple more points in and be fairly brief.

32 The last thing is that sort of
33 carryover from one year to the next, the fact
34 that we went from 50 percent to 10 percent,
35 obviously exposed a significant problem that
36 we have in the bluefin tuna fishery here, and
37 that leads me back into a very high-level
38 perspective of a discussion point, and that is
39 -- and John Graves over there, you may well be
40 on top of this already.

41 But, my point to you is that, out
42 of this organization and out of this meeting,
43 we should be able to come up with a very clear
44 and concise list of requests to our ICCAT
45 delegation that we feel that we need, in order
46 for the bluefin tuna fishery to succeed in the
47 future.

48 It's all yours. Thank you.

1 MS. SCHULZE-HAUGEN: So, just to
2 clarify. When we're talking about dead
3 discards, we are talking about dead discards.

4 What Gerry's question was about,
5 was live discards, and how do we determine
6 that they are alive and do we assume that any
7 boat, any fish that swims away subsequently
8 dies.

9 So, a dead discard is dead at the
10 time of haul-back as opposed to swims away
11 alive.

12 MR. JAMES: I guess I
13 misunderstood the answer to the question that
14 he posed earlier which was, indeed, we are
15 counting live discards as live discards. My
16 apologies. Sorry about that.

17 MR. BROOKS: So alive are alive
18 and dead are dead, I think is --

19 MR. JAMES: That is important to
20 keep in mind.

21 MR. BROOKS: Yes. That's the big
22 insight for the day. There you go.

23 Shana.

24 MS. MILLER: I might go on too
25 long as well, like my neighbor here, so if I
26 -- yes. Fair enough.

27 You know, I think -- I think the
28 big take-home message from your presentation,
29 Brad, to me, and I think to other people, is
30 just to look at those longline numbers and see
31 the amount of waste.

32 I mean, looking at 2005 through
33 '09 -- I'm just going to read these quickly.
34 -- 34 metric tons landed in the Atlantic, 65
35 tons, almost double discarded dead.

36 Similarly, in the Gulf of Mexico,
37 30 tons on average per year landed, 71 tons
38 discarded dead. So, more than double the fish
39 that were landed were discarded dead, just an
40 incredible amount of waste.

41 And so -- excuse me?

42 (Off-mic comment.)

43 MS. SCHULZE-HAUGEN: Well, that
44 would certainly be an option. Because the
45 mortality on the spawning grown in the Gulf of
46 Mexico has been such an issue in the past, we
47 recommend transitioning away from the longline
48 gear to actively tended gears that have fewer

1 -- and known to have fewer interactions with
2 bluefin, including greensticks and buoy gear,
3 to reduce that mortality in the longline.

4 Even for fish that are discarded
5 dead, research has shown that bluefin are at
6 their cardiac limit in the Gulf of Mexico.
7 Even if they are, you know, discarded alive,
8 chances are a proportion of those fish will
9 die.

10 If you close the Gulf of Mexico
11 you also free up a hundred tons of quota which
12 would bring us very closely in line, if not in
13 line with that 8.1 percent allocation to the
14 pelagic longline fleet.

15 If you then have the remaining
16 quota open to the Atlantic and set that as a
17 bycatch cap, have mandatory retention. None
18 of us like the dead fish being thrown over, so
19 get rid of your incidental catch requirements.

20 Every fish caught on a longline in
21 the size limit is, of course, subject to
22 debate, but have all those fish landed when
23 your 8.1 percent is caught or whatever, by
24 catch cap were to be set, then the longline
25 fishery would close for the remainder of the
26 season.

27 And similarly, with -- what is it,
28 the scallop and yellowtail flounder, I mean,
29 we -- not only do we have the longline catch
30 data that would help longliners avoid bluefin
31 interactions with the hot spot off of North
32 Carolina that Andre pointed out, but we also
33 -- for blue fin we have a lot of electronic
34 tagging data and habitat utilization models
35 that can say not only have bluefin -- where
36 have bluefin been caught in the past, but
37 based on current oceanography that NOAA
38 collects, we can tell you where they are
39 likely to be and you should, if you would like
40 to avoid reaching that bycatch cap,
41 potentially move your gear away from those
42 areas.

43 So, you know, between the new
44 scientific knowledge that we have, the new VMS
45 technology that -- that will hopefully be
46 implemented soon where you can have better
47 communications with longline boats when they
48 are at sea.

1 You know, there's a potential to
2 use these tools to make it easier for the
3 fishermen and get your catch back in line with
4 where the longline fisheries should be.

5 So, I'll leave it there for today.

6 MR. BROOKS: Thank you. We've got
7 three more people in the queue. We'll just
8 work it around the table. Chris, then Vince
9 and then up to Scott.

10 MR. WEINER: The first thing I'd
11 just say is, Brad, there's another example of
12 the herring, midwater trawl and the haddock
13 issue.

14 You know, that's an issue where
15 you have herring boats that would be shut down
16 -- well, now they split it up, so it's Gulf of
17 Maine and George Banks.

18 So -- but it used to be so that if
19 they caught their haddock, and it was only
20 like 100,000, 180,000 pounds, they couldn't
21 fish anywhere off the Northeast, but now it's
22 split up so that the Gulf of Maine has one
23 percent.

24 You know, so if they get shot out
25 in George Bank, they can still fish in another
26 area. So, I don't know if that would have --
27 you know, whether you could split up where
28 longliners fish and, you know, break it down,
29 but it might be worth looking at.

30 My general comment is that, you
31 know, I was very involved in the comments or,
32 you know, in the meetings and the 2000 -- or
33 on the rule in the spring, and the last thing
34 I left those meetings thinking was that people
35 were asking for an FMP amendment, you know, to
36 change how the fisheries managed.

37 You know, I can understand that
38 that might be seen as an easier way out of
39 this for some, you know, in terms of workload,
40 but that -- those meetings were about one
41 thing, and 99 percent of the comments and the
42 people there were -- were basically saying,
43 "Don't take our quota to fix this problem."

44 And I would say that the main
45 issue here is that people are frustrated when,
46 you know, for example, in the Nineties, late
47 Nineties when the harpoon quota was shut in
48 June, and we had to buy a second boat to fish

1 the rest of the year, and then we had to deal
2 with days out and all these rules.

3 It would have been nice just to
4 blow over our quota and have 200 tons to
5 catch, and then -- now we can sit back and
6 say, "Well, we caught that, even though we
7 broke the rules, and we should have that
8 quota."

9 I mean, I hate this fight. I
10 mean, the ideal solution would have been to
11 not have lost all our quota at ICCAT, and
12 that's still the only -- probably the only
13 solution, in the long run, that is really fix
14 all this is to get more quota.

15 But, bottom line is that people
16 are frustrated that they were being punished
17 for something that happened in another sector
18 of the fishery.

19 And so, I just wouldn't
20 characterize this as -- I mean, I'll say --
21 state right now, almost nobody in our fishery
22 wants an FMP amendment to change how things
23 are managed.

24 We don't want sectors. We don't
25 want -- you know, I mean, sector. You know,
26 I think there is some argument that we have,
27 you know, some level of sectors, but we don't
28 want to shift allocations.

29 We don't want any of that. We
30 just -- this problem needs to be fixed, and I
31 don't think that the solution is to just
32 change everything, because those meetings were
33 about one thing.

34 It was the impact of the overages
35 in one sector -- you know, I hate to keep
36 using that word -- versus another. And again,
37 I -- if you think any of us like coming to
38 these meetings having to deal with this,
39 you're wrong.

40 I mean, this is a tough issue that
41 we would rather not have to deal with. But,
42 at the end of the day, the problems, is not
43 with the traditional sectors in this fishery,
44 or, you know, that the hand gear, I mean,
45 itself.

46 MR. BROOKS: Thank you.

47 Vince.

48 MR. PYLE: Yes. Thank you. Yes,

1 okay. I'm sorry. The rest of the guys, can
2 you hear me? She said all her life she's been
3 trying to shut me up and now she couldn't hear
4 me.

5 So, but, you know, I don't think
6 anybody hates discards, dead discards, waste,
7 more than pelagic longline people. Certainly,
8 we don't hate them any less than any other
9 group, whether you're a fishing group or a
10 nonfishing person.

11 Waste is sinful is the way I was
12 brought up, and it's disgusting to me. It
13 makes my stomach turn if we throw these very,
14 valuable dead fish away.

15 And we can immediately do many
16 things to eliminate waste and stay right
17 within our quotas. There's no reason why my
18 vessel has to throw away two extra bluefin a
19 trip other than we can't catch enough to keep
20 three.

21 My fish hold only holds twelve,
22 13,000 pounds. I can never come home with
23 30,000 pounds to bring that bluefin in. Just
24 a small example.

25 But, then again, you might only be
26 out for two days and catch two bluefin and
27 might only have 4,000 pounds of directed
28 catch, still not allowed to bring that second
29 one in. I don't have 6,000 pounds of direct
30 catch on it.

31 So, to me, these are fairly -- I
32 understand the original intent of them, but
33 now if we are focusing on waste, which we
34 should always be focusing on, let's eliminate
35 some of the stupidity within the regulations,
36 and that is, none of us in longline are out
37 directly fishing for bluefin tuna.

38 We don't direct bluefin tuna. And
39 I know we might think there's 116 boats active
40 longlining, but the fact is, I don't think
41 there's 30 in the Gulf of Mexico.

42 And to close the entire Gulf of
43 Mexico when the -- when the discards have
44 continued to go down in numbers of fish, and
45 when there is room in our overall category of
46 quota.

47 You know, there's a lot of years
48 the purse seiners having come close to

1 catching their allowed quota within our quota
2 or sector.

3 So, if the longline interaction
4 should be able to keep those valuable fish and
5 bring them to market rather than let them sink
6 to the bottom of the ocean and throw away
7 millions of dollars, when we have one sector
8 for, whatever reason is not catching that
9 year, and a longline might have more success
10 inadvertently in catching that year, it is, to
11 me, ridiculous that we cannot do some pivoting
12 within the hold quota of the United States.

13 There is absolutely no reason
14 whatsoever for us to have the amount of
15 discard, of waste that we have now. And,
16 staying within our quota, stay within the
17 ICCAT requirements.

18 This idea of us coming up with our
19 own size of what's minimum, when the world
20 says what is minimum, we have to double it so
21 we can throw some away. Our waste is
22 absolutely regulatory and totally unnecessary.

23 So, that's my theme.

24 MR. BROOKS: Thank you. That's
25 helpful.

26 Okay. Scott, you get the last
27 word again.

28 MR. TAYLOR: I'm going to -- I'm
29 done quantifying myself so -- and I want to be
30 careful not to make the mistake of fishing --
31 of speaking for the industry, but it's unusual
32 that I would have an opportunity to have a
33 format like this, so I'm going to try to use
34 it for something constructive.

35 And I want to go to what Mark said
36 earlier about the hammerhead sharks. It is
37 the same issue. It's the same issue of waste,
38 and there is a fundamental problem, and that
39 is that of verification and accountability.

40 And, at least from the standpoint
41 of our fleet, that I can say that if there was
42 some sort of a fix for this dead discard issue
43 that would incorporate either virtual
44 observers or a hundred percent observer
45 coverage like we are presenting, then in order
46 to be able to not participate in this level of
47 just tragic waste -- and that's really what it
48 is -- of the resource, that we'd be the first

1 ones to step up to the plate to do that.

2 It's clearly the direction the
3 industry needs to go, that a lot of you are
4 aware that we are involved in other projects
5 and with the MSC, and that we've been able to
6 reach out across the aisle to deal with some
7 of the NGO's and to address the issues,
8 there's no reason that protocols cannot be put
9 in place to address the very concerns that
10 most of these people have in the room between
11 the difference of a live take bluefin and a
12 legitimate dead discard, and that's ultimately
13 what the issue is.

14 The fact of the matter is, that as
15 long as there is pelagic longlining, there is
16 going to be other interaction. It isn't going
17 to go away.

18 You're not going to close down the
19 swordfish and adversely affect the swordfish
20 take because you'll have the same issue with
21 ICCAT that you had with the swordfish if you
22 reach a quota number with the bluefins, and
23 close down an entire fishery.

24 There is not a simple answer, but
25 there will be an elegant answer to this in
26 which that a -- a multiple dynamic of a lot of
27 the suggestions that are excellent suggestions
28 that I heard today, transfer of tags on board,
29 the utilization of some sort of a number in
30 order to encourage the boats themselves from
31 moving away from the areas where they know
32 that there is bluefin interaction that's going
33 to be live, because if the fish is caught
34 live, then he should be turned away -- he
35 should be turned away that way.

36 So, you know, this is probably one
37 of the most elegant fish in the ocean.
38 Anybody that's commercial-fished or has been
39 involved in that fishery doesn't want to see
40 the resource wasted.

41 You know, some of the numbers that
42 we're seeing as a result of clearly some level
43 of recovery with the -- maybe some level of
44 recovery from the interactions is a good thing
45 for us.

46 And that, you know, to waste the
47 resource that's available within the US to the
48 extent of the US quota, is unfortunate, is

1 just a pure waste of the fishery.

2 So, I think one vessel observers,
3 some sort of protocol, some real substantial
4 changes, anything that we can do from our
5 standpoint to minimize the fact that those
6 fish have got to essentially be sunk to the
7 bottom for -- for crab is something that at
8 least our sector of the industry would be very
9 interested in pursuing.

10 MR. BROOKS: Thank you.

11 MR. GERENCER: Thank you. Bill
12 Gerencer. In 31 years in fisheries I've
13 noticed that, as a country, we've always
14 struggled, it doesn't matter what fishery,
15 with regulatory discards, and the pivot point
16 is that you're trying to balance waste versus
17 preventing somebody from targeting something
18 that they shouldn't be, just because you want
19 them to land everything.

20 There are solutions to that. And
21 the second part is species avoidance. I
22 support the Government facilitating industry
23 being able to avoid a choke species or a stock
24 that they're trying to avoid to harvest the
25 target stock.

26 But, it has to be done without
27 getting too much involved and without relying
28 too much on things like, you know, preclosing
29 areas because you assume that fish are going
30 to be in there because we don't dictate where
31 the fish go.

32 The fish go where they go, and the
33 successful programs like the scallop program
34 with the yellowtail flounder were done by the
35 fishermen finding the fish in those areas and
36 avoiding them.

37 For one year they closed out the
38 scallop fishery early because they weren't
39 able to avoid the fish -- or they didn't try
40 to avoid the fish, and the second year because
41 they learned the hard way because they got
42 hard-tacked out of that area.

43 They were able, even with observer
44 coverage, surprisingly, to avoid those fish.
45 So, -- but it required a lot of cooperation
46 between the fishermen and somebody like SMAST
47 who they trusted to handle their -- their data
48 without sharing it -- not just with everybody,

1 but even with other fishermen.

2 As far as the Gulf of Mexico, I'd
3 like to see weak hooks get more of a chance to
4 work before we unilaterally close the Gulf of
5 Mexico to longlining.

6 If anything, that's the place
7 where weak hooks have been accepted and the
8 fishermen are really trying and now to pile-
9 on, instead of giving that a chance to work
10 when it looks like it might be working --
11 there's a long way to go -- is something worth
12 thinking about.

13 And then, finally -- well, two
14 more things. Sectors. In a way, bluefin
15 fisheries are already -- where using sectors
16 before that became a popular word.

17 Now, the difference is, is not a
18 limited-access fishery, and you haven't
19 actually given out the fishery to the
20 stakeholders. I mean, "sectors" is kind of a
21 way of privatizing the commons, and then from
22 then on, somebody owns that resource, or their
23 share of it.

24 And the advantages are you can
25 trade it back and forth or sell it back and
26 forth, so that if you have -- you need to
27 catch, you need more bluefin you can actually
28 go buy it from somebody else. It fixes a
29 value to it.

30 And then finally, with the dead
31 discards, the question was asked, you know,
32 how do we know that once you dehook a fish
33 that appears to be alive and healthy, does it
34 die and how do you know.

35 And you don't. I mean, that's a
36 fair question. But the converse to that is you
37 drop a fish that looks like it's dead -- I'm
38 not trying to be flip here, but how do you
39 know it doesn't rejuvenate when it sinks down?

40 Chances are, 99 percent of the
41 time it's dead, but how do you know. I mean,
42 does it -- when somebody looks at a fish that
43 appears dead, do they put a stethoscope on it
44 and check for a heart rate?

45 Do they check for -- you know,
46 they just basically say, "It looks dead.
47 Dehook it and let it go."

48 In any case, thank you.

1 MR. BROOKS: All right. Rick, you
2 do get the final word. Then we're going to
3 open it for public comment.

4 MR. WEBER: Margo, I'm not -- I'm
5 not sure and I'll be interested in hearing
6 tomorrow. I'm not sure, Chris, that they can
7 avoid an FMP adjustment because, as we sit
8 here and talk about these sectorish --
9 sectorish groups, there is something different
10 about the longlines.

11 Because, Margo, it is correct that
12 your math, currently it is in the FMP, that
13 they must come off the top prior to split.
14 Aren't they held out -- are not the dead
15 discards removed from the quota prior to the
16 split?

17 MS. SCHULZE-HAUGEN: So, we have
18 authority under the regulations to either
19 account for it within a category or to take it
20 off the top.

21 We proposed in the 2011 quota rule
22 to take it off the top before in full, before
23 allocating out the remainder to the categories
24 according to the FMP percentages.

25 In the final rule, we opted to
26 take half of the discards off the longline,
27 allocated the full directed category quota and
28 then also gave the longliners half of the
29 carry-forward and put the other carry-forward
30 in the reserve.

31 So, not the simplest answer, but
32 that's what we did.

33 MR. WEBER: All right. It's --
34 you're right, it's not as simple as I thought
35 it was. I thought it was coded in there
36 because I thought that the longline, dead
37 discard was handled not as a sector, but as
38 this thing that sat aside or atop.

39 MS. SCHULZE-HAUGEN: So, sectors
40 are -- and I know that we often use sectors as
41 a general term, as opposed to the specific
42 meaning of sectors in the Northeast management
43 structures, are premised on an ITQ system that
44 then voluntarily fishermen come together and
45 form the sector.

46 And so, yes, there are some
47 similarities to the categories we have, but
48 there are also some fairly significant

1 differences that, unfortunately, our general
2 use of the term and our specific use of the
3 term are confusing.

4 MR. WEBER: Agreed. The two --
5 the two points, and they will be quick, is
6 when the regs went over, and we did not go
7 over intentionally, you know, it was -- I
8 suppose it was foreseeable as we watched the
9 marching cohort, but we -- the regs did not
10 intentionally go over.

11 It is what I would call an
12 accident. But there was a rule the next year
13 that you took an action to make sure that that
14 did not happen again. We used the reserves.
15 We took advantage of who had undercaught, and
16 there was an action to make sure that didn't
17 happen again.

18 I don't hear anything, and I think
19 that's my challenge to Scott and Terri and
20 Vince, is to come back tomorrow. It can't be
21 give us all we want. It's a mistake.

22 I'm missing what the second half
23 is. Ultimately there's going to be a number.
24 If there was a quota, there's a number. What
25 do you guys propose happens when you hit that
26 number?

27 Do you tie-up when you hit that
28 number? I don't understand. You cannot come
29 to this group, and we are all sharing this
30 fishery, and say, "We'll be as careful as we
31 can, but give us all we want."

32 That's not a fair request for the
33 rest of the body. And I'll --

34 MR. BROOKS: You are going to have
35 (off-mic comments.) That's the problem.

36 MR. WEBER: That's fine, but that
37 is something that I would like to hear from
38 the -- from the alternative -- from the thing
39 is, what do you propose, then? What does
40 happen when you hit that number.

41 MR. BROOKS: (Off-mic comments.)

42 Margo, do you want to make any
43 final comments before public comments?

44 MS. SCHULZE-HAUGEN: No. I think
45 what we will do right now is think about how
46 we want to structure, you know, based on the
47 comment that we have so far.

48 The discussion tomorrow, if there

1 are specific suggests that you have for us in
2 that regard, please come on up. And so, I
3 would encourage folks to think about this.

4 I think we've got a lot of the
5 issues out on the table, and have kind of
6 started to get into the meat of it. So, I'm
7 hoping that tomorrow is a productive
8 discussion that will advance the issues.

9 I think we have been talking about
10 some of these issues for some time, and the
11 answers aren't necessarily easy, but I
12 appreciate people's candor.

13 MR. BROOKS: So, before we review
14 tomorrow's agenda and adjourn, I want to give
15 members of the public an opportunity to
16 comment. I think there is at least one hand
17 here, maybe a second. Okay. Please --

18 MS. SCHULZE-HAUGEN: So, we need
19 you to come up and sit -- and maybe, Brad,
20 I'll ask you to vacate, so we have a mic
21 available so that the comments are entered
22 into the record.

23 MR. BROOKS: And we would
24 obviously ask you to, as well, keep your
25 comments brief.

26 MS. SCHULZE-HAUGEN: So, please
27 state your name and affiliation.

28 MS. KILDUFF: Hi. I'm Catherine
29 Kilduff. I'm an attorney at the Center for
30 Biological Diversity, and I am sorry, I missed
31 the introductions this morning. I was on a
32 red-eye to get there and arrived at the
33 airport at nine.

34 So, I wanted to come to this
35 meeting to meet a lot of the faces whom I've
36 been emailing and phone-calling with.

37 As you know, the Center was the
38 group that proposed to list the bluefin as
39 endangered under the Endangered Species Act,
40 and not to make light of the current
41 discussion, but I did hear at one point that
42 that was one point when all the bluefin
43 fishermen could unify together to fight the
44 Endangered Species Act Petition.

45 So, perhaps that it's appropriate
46 that I came to this meeting to remind you all
47 what you have in common.

48 But, I do think that this

1 discussion is really important, and I think
2 that there's a lot of gains to be made here in
3 terms of reducing waste and thinking about
4 alternative gears and considering, you know,
5 changes to the FMP.

6 But I also wanted to say that I'm
7 here to tell you that this is a really
8 important issue for the Center, and we protect
9 endangered species in wild places. So, this
10 would not be in my portfolio if we thought the
11 bluefin tuna was doing well in terms of
12 recovery.

13 And we have a bluefin boycott
14 going on as well, and there are 25,000 people
15 that have pledged not to buy or eat bluefin
16 tuna.

17 And so, in part, I'm not just
18 representing our organization, but our
19 members, too, and sort of the worldwide
20 concern that bluefin tuna is not in a good
21 condition right now.

22 And I think that that -- that sort
23 of needs to be remembered when we're talking
24 about just ANPR that's talking about fully-
25 utilizing the quota.

26 And so, I have three points. I
27 don't want my introduction to precede my
28 points. They are -- I want to talk about
29 quota reduction, adaptive management to yield
30 better science and that saving bluefin tuna
31 from overfishing means playing politics.

32 The first one, quota reduction.
33 It doesn't benefit anyone if bluefin tuna go
34 extinct. And the lack of certainty about
35 catch in future years is creating instability
36 and incentives to fish now as much as
37 possible, meaning uncontrolled global catch.

38 And I know that in some parts I'm
39 preaching to the choir because a lot of you
40 have livelihoods depending on bluefin tuna
41 existing out there, and I've heard mention of
42 thinking about future years.

43 So, I know that everyone -- this
44 room contains more expertise than I could ever
45 have, but this is just a reminder that there
46 have been a lot of scientists coming out
47 recently saying climate change, the Gulf of
48 Mexico will not be a suitable spawning ground

1 in the current spawning months in a hundred
2 years, meaning no more spawning.

3 And so that means, in 50 years,
4 there's going to be that incremental
5 reduction. And on the other hand, this is a
6 really good point for us to think about
7 changes in management because there's a great
8 2003 year class -- like there's a recent cod
9 study showing that despite the shutdown of the
10 cod fishery, it took some biological up's and
11 down's between the different trophic levels
12 and the feeding in order for the predator to
13 have the chance to recover.

14 So, we have a golden opportunity
15 now to capitalize on this 2003 year class, but
16 we have to change the management, because it's
17 not going to work if we just up the fishing
18 quotas as soon as we have a few more fish out
19 there.

20 So, that sort of leads me to my
21 second point, which is adaptive management to
22 yield better science.

23 And the management should be based
24 on the science. In this case the management
25 is strangling science. And the one word is
26 "overfishing."

27 The agency doesn't know if this
28 fish is overfished or not, and that's sort of
29 the basis of the management of a fishery. You
30 have to know where a healthy population is.

31 And there's been so much fishing
32 and so much flat-line of the population that
33 it's really hard to tell what's effective and
34 what's not. What's making a difference? What
35 could make this species recover so that we
36 have a healthy population?

37 And that's frustrating for
38 everyone, and so adaptive management would
39 mean that you need to reduce fishing to the
40 extent necessary to determine what a healthy
41 population is.

42 The easiest way would be to close
43 the fishery. That's painfully -- economically-
44 speaking, it's painful. But, there are ways
45 that you could say we are going to reduce
46 quota incrementally and have some sort of a
47 plan in order to figure out what a healthy
48 population is and go forward.

1 And so, a lot of the resistance
2 from that is political, and saving bluefin
3 from overfishing means playing politics.

4 And the US has to argue strongly
5 for reduced quotas and reduce the domestic
6 quota if need be, even if ICCAT is not going
7 for it.

8 And there's a lot of arguments
9 against that. ATCA apparently prohibits that.
10 I would argue against that. There's a court
11 case saying that ICCAT doesn't allocate to the
12 fishermen, it allocates to the United States.

13 The United States has discretion
14 in the conservation measures it takes. And
15 another argument is that we would lose our
16 quota to other countries. I think that's
17 speculative.

18 Canada has assessed the bluefin
19 tunas in danger. There are other countries
20 that are worried about this. The Western
21 Atlantic bluefin tuna in our waters, they
22 spawn in the Gulf of Mexico. They go up the
23 east coast. We have more control.

24 We're the third-largest seafood
25 importer. Everyone knows here the importers
26 have a ton of control over politics. We are
27 not operating in a vacuum here.

28 The US can put some pressure on
29 other countries. Italy has been illegally
30 fishing for five years now, and this doesn't
31 necessarily take a Government regulation
32 against importation.

33 We know that a lot of the
34 investors in bluefin farming are also
35 distributors. The owner of the largest single
36 operation in the Mediterranean is a US
37 company.

38 So, we have a lot more
39 participation than is being discussed out here
40 to change the way things work. And this is a
41 little bit outside the realm of an AP HMS
42 meeting, but we proposed that it be listed on
43 CITES and that the US propose it, and the key
44 to the Endangered Species Act not warranted
45 decision was that there would not be a
46 significant probability of extinction if there
47 were compliance.

48 And that's a huge problem. And I

1 think that there's been a lot of political
2 entrenchment with the past proposals, but this
3 is actually a way not to make ICCAT step
4 aside, but to just help the enforcement of
5 these regulations.

6 ICCAT is not a trade body. And
7 CITES has some proven, demonstrated success
8 that they can be at the borders, figuring out
9 what's illegal and what's not.

10 And the bottom line is the US
11 needs to act. Thank you.

12 MR. BROOKS: Thanks. I think I
13 saw another person with a comment.

14 Please, if you would, come up to
15 the mic and, again, state your name and
16 affiliation and we will ask you to be -- if
17 there's a mic available, that's fine.

18 MR. SCHALIT: David Schalit,
19 commercial bluefin fisherman. Just a comment,
20 a couple of comments. One is that on the
21 email that was sent out that showed -- within
22 the last two days that showed the results up
23 to August 31 of the bluefin harvest for this
24 year, it looks to me like they -- I believe
25 that it indicates that the -- that the bycatch
26 that was -- the bycatch recorded as caught had
27 an average weight per fish of about 500
28 pounds, if I'm not mistaken.

29 And I'm sure you folks have that
30 information available for previous seasons.
31 And I just thought I'd mention that, in the
32 white paper there's this -- there's an opinion
33 presented that maybe the higher level of
34 interaction between bluefin and pelagic
35 longline gear was as a result of the 2003 year
36 class.

37 And, clearly, that -- I mean, if
38 this is an indication, if the weight of the
39 bluefin that we are catching as bycatch right
40 now is around 500 pounds on average, that's
41 not the 2003 year class.

42 So, anyway, but I think my -- my
43 take here is that we can discuss -- we could
44 discuss endlessly this issue of how much
45 bycatch is acceptable, how much -- how much
46 regulatory discards would be acceptable to us.

47 These are really important issues
48 for our civilization. In every corner of the

1 world people have moral and ethical problems,
2 major problems with waste represented, you
3 know, in this case by fish that fall to the
4 bottom of the ocean.

5 We also have the weight of law
6 here. We have five UN resolutions, no less
7 than five that will -- that are mandating that
8 we reduce bycatch to the absolute maximum --
9 to the absolute minimum.

10 And then we also have what's
11 written in Magnuson-Stevens and also in the
12 FMP. So, we have enough guidance that
13 suggests to us that it's not a question of
14 what to do, it's how to do it.

15 And I think that what I -- what I
16 can see in my sort of inexperienced way, I can
17 identify that the agency has taken an
18 initiative with the -- with the weak hook
19 initiative, and that's a good thing, and that
20 there are these longstanding closed areas that
21 have been on the books for a very, very long
22 time, in which -- in which pelagic longliners
23 cannot function.

24 Other than that, it's -- we can --
25 we can speculate about how much we consider to
26 be an acceptable amount of bycatch, but the
27 agency has not proven that it's capable of
28 managing the problem.

29 So, it's -- before we -- I think
30 before we contemplate how much we consider to
31 be a right amount, is it 8.1 percent or
32 something else, first we have to ask ourselves
33 what are we going to do, given the fact that
34 there is -- that these numbers that we saw
35 earlier today suggest that there is no control
36 on this problem.

37 And, indeed, when I think about
38 being part of a conversation in which people
39 are talking about various methodologies for
40 reducing bycatch such as other, you know,
41 time-area closures or whatever, I would sooner
42 leave that to the longliners themselves.

43 They know better -- they know that
44 ocean better than we do for those purposes.
45 You know, I think that the idea that we would
46 partner, that we -- bluefin tuna fishermen
47 would partner in this process, when we have so
48 little expertise in this way, it's just

1 senseless.

2 I think what we need to do is
3 first -- is first find a way to control the
4 problem, to see to what degree we are able to
5 control it, and then move on from there.

6 Thanks very much.

7 MR. BROOKS: Thank you.

8 Any other members of the public
9 wish to comment?

10 (No response.)

11 MR. BROOKS: Okay. If not, thank
12 you for the comments we received. And just
13 quickly, to review the agenda for tomorrow, we
14 will convene -- we do start much earlier
15 tomorrow than we did today, so please be
16 aware.

17 We start tomorrow. Arrival and
18 greeting is at 8:45, so please come here.
19 Breakfast will be here, as always.

20 We will be spending the entire
21 morning digging deeper into this issue, and
22 we'll spend the whole morning doing that.

23 Then, in the afternoon, we'll have
24 an enforcement update, and then talk about
25 shark stock assessments and the swordfish
26 general commercial permit.

27 So, with that, any final questions
28 before we adjourn? Rich.

29 Hang on, please. Folks, could you
30 hold it down so we can hear.

31 Rich.

32 MR. RUAIS: I have asked before to
33 have five minutes on the agenda to talk about
34 the categories.

35 MS. SCHULZE-HAUGEN: Could you
36 give me one.

37 MR. BROOKS: Yes. If you can --
38 we didn't get copies up here, so we could use
39 them, and then we'll be doing some agenda
40 triage and trying to figure out where to fit
41 that in. Yes.

42 (Off-the-record comments.)

43 MS. SCHULZE-HAUGEN: The entire
44 discussion tomorrow is on bluefin tuna
45 overall.

46 MR. BROOKS: Right.

47 MS. SCHULZE-HAUGEN: So, it's not
48 just a longline discussion.

1 So, maybe what I could ask is, for
2 folks, if there are specific agenda items you
3 want to cover tomorrow morning, bring those
4 and we will find a place to put them.

5 MR. BROOKS: Scott, you have a
6 question?

7 MR. TAYLOR: I just have one quick
8 question, because I want to think about what
9 was posed for me tonight.

10 MR. BROOKS: Yes.

11 MR. TAYLOR: Are the dead discard
12 numbers and the live discard numbers
13 extrapolated numbers or are they actual
14 numbers? I think it's an important issue that
15 I don't know whether or not there was an
16 answer to.

17 Is it based upon some sort of
18 logbook and an extrapolation?

19 MS. SCHULZE-HAUGEN: I know that
20 dead discards are extrapolated, taking effort
21 data from logbooks, and rate data from
22 observers. I'm not sure about the live, so I
23 will check on that. We'll have that in the
24 morning.

25 MR. BROOKS: Okay. So, we are
26 adjourned for now and we will reconvene
27 tomorrow at 8:45 a.m. Thank you all very
28 much.

29 (Whereupon, the meeting was
30 concluded at 5:15 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Highly Migratory Species Adv. Panel

Before: NMFS

Date: 09-20-11

Place: Silver Spring, MD

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