

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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THURSDAY
SEPTEMBER 22, 2011

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The Highly Migratory Species Advisory Panel met in the Crowne Plaza Hotel, 8777 Georgia Avenue, Silver Spring, Maryland, at 9:00 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
DEWEY HEMILRIGHT (proxy for Sean McKeon)
RUSSELL HUDSON
ROBERT HUETER
STEVEN JAMES
JOHN JOLLEY
DAVID KERSTETTER
GERALD LEAPE
SHANA MILLER
KENNEDY NEILL
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
SCOTT VAETH
RICK WEBER
CHRISTOPHER WEINER
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ICCAT REPRESENTATIVE:
JOHN GRAVES

ATLANTIC STATES MARINE FISHERIES COMMISSION:
ROBERT BEAL

STATE REPRESENTATIVES:
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AARON PODEY, Florida
WALLACE JENKINS, South Carolina
CARRIE KENNEDY, Maryland
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MARGO SCHULZE-HAUGEN

LEANN SOUTHWARD HOGAN

JERON STANNARD

DIANNE STEPHAN

JENNIFER TABISZ

JENNI WALLACE

MEGAN WALLINE

TOM WARREN

JACKIE WILSON

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

9:01 a.m.

1
2
3 MR. BROOKS: All right, well good
4 morning and welcome back for our third and
5 final day. I thank everyone for staying so
6 focused and engaged over the last two days.
7 And for those of you who are not staying for
8 the afternoon session you've just got another
9 three hours to go, so. For those of you who
10 are staying for the afternoon, pace
11 yourselves.

12 Just to quickly highlight the
13 agenda for this morning, we will have an
14 update on the research plan from Guillermo
15 Diaz in a minute as well as we have mentioned
16 several times David Kerstetter will give us an
17 update on the Pelagic longline closed area
18 research and we will hear from him this
19 morning before something like 10:00, probably
20 in the 9:15-9:45 slot. We'll be getting an
21 update on the National Ocean Policy from Sam
22 Rauch and then after a break we'll do a
23 preview, a fairly detailed preview of the
24 thinking and approaches being put on the table
25 for the future of the shark fishery. That
26 presentation will be intended primarily to
27 sort of seed and inform the conversation that
28 will go on this afternoon at the workshop.
29 But we will create an opportunity after that
30 overview for folks around the table who will
31 not be staying for the afternoon just to fold
32 in any thoughts or reflections or comments or
33 questions you have so that we have the benefit
34 of your thinking before we adjourn.

35 As always again before we finish
36 up here Margo and her team will do a summary
37 of the panel priorities they heard over the
38 last three days and next steps. We are
39 scheduled for a noon adjournment but we will
40 be trying to finish up here a few minutes
41 early so that the folks who are going to the
42 workshop will have a little bit more time to
43 gobble some lunch before we start up. And
44 that will be starting up at 1:00 in here as
45 well.

46 A couple of other quick notes,
47 maybe just one other quick note. Rick
48 Bellavance lost an HP computer charger. It

1 was left behind so if anyone happened to see
2 one, pick one up by mistake, please let him
3 know. I know he would appreciate getting it
4 back. And then before we dive into the agenda
5 for this morning, first of all Margo, I wanted
6 to see if you had any opening thoughts that
7 you wanted to share?

8 MS. SCHULZE-HAUGEN: Just one
9 announcement. I wanted to let folks know that
10 the eDealer beta site is up and running in the
11 entryway. And so if you want to get a sense
12 of what it looks like then we're happy to walk
13 you through that. So I just want to let folks
14 know it's there.

15 MR. BROOKS: Thanks. And I wanted
16 to create just a very small space for any
17 folks around the table who didn't get to weigh
18 in yesterday. You know, this is a big crowd
19 and sometimes it's a little hard or a little
20 daunting to jump into the fray and I don't
21 want to lose the voices of folks around the
22 table who maybe weren't quite prepared to jump
23 in yet. But if there's anyone around the
24 table who didn't fold in their thoughts
25 yesterday I just want to create a little
26 opportunity here for you to share your
27 observations or reflections on that
28 conversation. So if there's anyone who fits
29 that criteria. Okay. All right. Then let's
30 push ahead and we'll kick it off with I guess
31 Guillermo.

32 DR. DIAZ: Good morning. I just
33 want to introduce a little bit and talk a
34 little bit about the research plan that we
35 developed for Highly Migratory Species. You
36 received a copy this morning. Please keep in
37 mind that even though it's very close to
38 completion it's still a draft. There are some
39 cleaning that we need to do, add references,
40 annexes, list of species, things like that,
41 but the bulk of the research that we think are
42 a priority for the agency are already here in
43 this document. The document is prepared or
44 has been prepared in sections so we have a
45 section for billfish, one section for
46 swordfish, one for bluefin tuna, one for
47 sharks, and one for the base. We've tried to
48 keep a similar structure for each section so

1 it is easier to compare and to read. We tried
2 to make it not technical but at some point
3 it's kind of difficult not to introduce some
4 technicalities in the document. And even
5 though we tried to keep it short the document
6 has almost 60 pages. Good luck reading it, I
7 hope you're going to enjoy it.

8 One thing that we found is that
9 there are some commonalities between the
10 different groups when it comes to research
11 needs. For example, we have very limited
12 information on the essential fish habitats for
13 many HMS species. We don't have any
14 information, quantitative information on
15 trophic relationships so those are things that
16 we need for ecosystem-based management. When
17 it comes to aging and growth we also have
18 limited information, particularly in the sense
19 that we don't have what we scientists call
20 age-length keys. So when it comes to, when we
21 need to age the catches for historical
22 assessment purposes we use a technique which
23 is called age slicing, basically to use the
24 length of the fish and the growth curve to
25 assign ages. And usually that technique does
26 not take into account the variability in
27 growth. So that's something that we need to
28 develop for all HMS species, the age-length
29 keys. To do that of course we need a sampling
30 program, a systematic sampling program of
31 heart parts and otoliths for aging.

32 The other thing that we tried to
33 prioritize in this research plan is all those
34 research that will provide data to help to
35 reduce the uncertainty in stock assessments.
36 If you look at the result of stock assessment
37 from ICCAT the levels of uncertainty are quite
38 high. That's due not to the assessment itself
39 but because of the quality and quantity of the
40 data that we are using. So that's one of the
41 goals and as you know better stock assessment
42 translates into better management.

43 So the other thing is that this
44 research plan has been prepared by
45 headquarters but has been also, we also have
46 the input of the science centers so scientists
47 from the agency that works on HMS have been
48 heavily involved in developing this plan. So

1 if there are any questions or comments?

2 MS. SCHULZE-HAUGEN: Just a couple
3 of other points. This was prepared in
4 response to a lot of the comments from the
5 advisory panel as well as the ICCAT Advisory
6 Committee to have a more dedicated HMS
7 research funding. This is what we thought
8 would be a good first step in that direction
9 by identifying the priorities that then can be
10 used by researchers to point their activities
11 and proposals towards. We also wanted it to
12 be fairly brief so that it would be accessible
13 and not too technical for folks that were
14 looking at providing funding, but then also
15 would be available to the agency when
16 resources are available and we're trying to
17 decide how to -- which projects to fund in
18 what amounts that we would have a readily
19 available agreed upon kind of list of
20 priorities so that we can maximize the limited
21 resources that we do have. So trying to meet
22 multiple needs.

23 Our plan is to see if you all have
24 comments and then trying to finalize this
25 fairly quickly, really make it look kind of
26 pretty. There are folks in our agency that
27 are very good at that and we're not them. I
28 don't know if you've noticed, most of our
29 documents are not real snazzy. But that it
30 would become available in the relatively near
31 future for our purposes as well as yours. So
32 with that if you have comments, I know we just
33 handed it out so you really haven't had a
34 chance to look at it, but we are interested in
35 your input but we do wish to finalize at least
36 this round fairly quickly and then our thought
37 is that it would be updated periodically so
38 that it remains kind of a living document.

39 DR. DIAZ: Just one more thing.
40 In developing this research plan of course we
41 took into consideration the advice that came
42 out of this panel and also the ICCAT Advisory
43 Committee. I know that, I mean you just got
44 the copy so you might not have many comments
45 to make right now but feel free to contact me
46 by using email in the near future with your
47 comments.

48 MR. BROOKS: Is there a date by

1 which?

2 DR. DIAZ: Tomorrow. We could say
3 maybe within the next three weeks given that
4 the next two weeks are going to be traveling,
5 on travel. So three weeks would be a good
6 time.

7 MR. BROOKS: Okay, good. Thank
8 you. David Kerstetter.

9 DR. KERSTETTER: Thank you. I'll
10 do my best to get you comments, Guillermo, as
11 soon as possible. It is a little difficult
12 having just received this. And so as you've
13 alluded there are a lot of these research
14 priorities that you've already articulated
15 that have been articulated by the HMS AP and
16 the IAC for years now. And so not having read
17 this and I'll let you address this perhaps if
18 you have, what I see are not questions of what
19 research needs to be done but structural
20 issues within the agency on how best to
21 accomplish them.

22 And there are three things that I
23 can address to start out with. One would be
24 your question about biological sampling, and
25 specifically I'll start with the POP which has
26 refused efforts for years now with me to
27 collect biological samples from fish that the
28 observers get onboard. They're not collecting
29 them for the SEFSC except in certain
30 situations and are generally unresponsive
31 towards collecting a wealth of biological
32 information that they should have been
33 honestly collecting for years. And the IAC
34 and the HMS AP has identified that and yet
35 there's still been structural resistance
36 there. So that's the first one. And I don't
37 know whether you want to address these
38 individually or?

39 DR. DIAZ: Yes, let me do that
40 because I know I'm going to forget the
41 questions.

42 DR. KERSTETTER: Oh don't worry,
43 I'll remind you.

44 DR. DIAZ: The issue of a
45 biological sample from the observer program is
46 something, is not a structural denial. The
47 need for data is recognized. It's more a
48 question of logistics. And what I've been

1 told, talking with the observer program
2 managers is that it's difficult for the
3 observers to collect biological samples that
4 need to be preserved in alcohol or formalin
5 and then the guy has to transport that on a
6 plane or something. So it can be done, it
7 hasn't been done because of those logistical
8 issues that they will try now to address and
9 change. So. The other thing is that I'm
10 trying to look with this research plan into
11 the future and not what happened in the past
12 because I don't have the answer to many of
13 your concerns about that.

14 DR. KERSTETTER: I appreciate that
15 and certainly this is something that you can't
16 retrospectively go back and correct. However,
17 as John Graves and several other people around
18 the table know I've been doing those
19 biological samples while observing, while
20 working the deck and have had no such similar
21 issues. So leaving that aside, I've gotten
22 into lots of arguments with Larry and Dennis
23 before that over their reluctance to do that.
24 Anyway, moving on.

25 I think that there's also a
26 structural problem in terms of funding. I
27 really enjoyed the little handout that we got
28 on the CRP and I look forward to whoever's
29 going to present that because it really would
30 have been helpful, (a) to have had that before
31 the close date of CRP, but (b) it would have
32 been very helpful to have these research
33 priorities in these species of concern based
34 on HMS other than a few species of sharks
35 listed in CRP as species of priority.
36 Generally if species of priority or research
37 projects of priority are not listed within the
38 RFP for CRP they do not get funded and
39 systematically HMS species and HMS research
40 priorities have been excluded from CRP. We're
41 excluded entirely altogether from MRFD and who
42 knows if SK is going to get funded on any
43 particular funding cycle. So we have another
44 structural issue in terms of funding and yes,
45 you can't retrospectively go back and correct
46 those deficiencies. But like the biological
47 sampling does this plan have structural
48 changes on the funding priorities within the

1 existing grant programs or are you planning on
2 taking this to the Hill or wherever else and
3 getting all new funding for it?

4 MS. SCHULZE-HAUGEN: So, we can't
5 go to the Hill but you can. So, one of the
6 reasons was to provide a single updated source
7 of needs and priorities for everyone. And so
8 the issues within the agency are things that
9 are in active discussion. You know, Eric
10 talked about budgets. I can make no
11 guarantees but I don't think it's solely an
12 action within the agency. I think there are
13 other avenues and so we are trying to support
14 all of that.

15 DR. KERSTETTER: So you are
16 supporting within the agency inclusion of HMS
17 species within existing fishery research grant
18 programs?

19 MS. SCHULZE-HAUGEN: What I said
20 is that there are active discussions.

21 DR. KERSTETTER: We'll take that
22 for what it is. I guess the final thing --
23 and I didn't mean that personally.

24 MS. SCHULZE-HAUGEN: So, yes.
25 Let's bear in mind that, you know, there's a
26 lot of demands on the agency resources and so
27 we take your input. It doesn't necessarily
28 translate to instantaneous and sometimes it
29 may not result in action. So we are doing
30 what we can, trying to provide everyone the
31 information in a usable real format. So
32 please take that as it sits.

33 DR. KERSTETTER: Duly noted and I
34 apologize if it was taken snarkily. All I'm
35 asking for is a level playing field by which
36 HMS researchers can compete with other fishes.
37 I guess the final --

38 DR. DIAZ: Let me just say --

39 DR. KERSTETTER: Go ahead.

40 DR. DIAZ: Dave, I've talked with
41 you and with John and others about funding.
42 I understand your frustrations. I am just a
43 scientist. So this research plan is not
44 addressing any of the funding issues because
45 it's outside the goal of the research plan,
46 and of course outside of the area of expertise
47 of those that helped prepare this plan.

48 DR. KERSTETTER: Okay. And I

1 guess the final thing that maybe might be
2 helpful is we know that there's a lot of
3 research going on within the agency regarding
4 HMS species, both Northeast and particularly
5 at the Southeast Center. What may be helpful
6 is, and I've seen this in other venues where
7 you have a list of research topics, age and
8 growth, reproduction, habitat utilization in
9 a matrix. So all of these various issues by
10 species and indicating on that matrix what
11 projects the agency is working on. Not
12 everybody is familiar with what everybody else
13 is doing as much as this seems like a very
14 closed community at times, at least
15 scientifically. But it would be interesting
16 to see exactly which of these research
17 priorities have been identified within the
18 agency, within the Southeast Center and the
19 Northeast Center as projects worthy for those
20 in-agency scientists to be working on. And
21 you'll be getting more written comments later
22 but thank you for putting this together.

23 MR. BROOKS: Thanks. Thanks,
24 David.

25 MS. SCHULZE-HAUGEN: I think that
26 would be something that we could provide.

27 MR. BROOKS: I've got Bob, Rich
28 and John in the queue. Bob.

29 DR. HUETER: Thanks, Guillermo,
30 for putting this together. And like Dave I'm
31 just seeing this for the first time. Not to
32 pile on but to add to the frustration I guess
33 that Dave has expressed and John. Let me say
34 that a research plan that does not address
35 funding issues is not a plan. That's a wish
36 list of what you'd like to see done. But you
37 need -- without money this really means
38 nothing. So I would suggest that the agency
39 consider starting a new program with new RFPs
40 dedicated just to HMS. Because as Dave has
41 said when it was decided years ago that
42 headquarters would manage HMS, not the
43 councils, the councils almost in an act of
44 vengeance which has lasted to this day said
45 well, then we're not going to fund, we're
46 certainly not going to fund shark work and a
47 lot of the other HMS. So as Dave has
48 expressed in a frustrating way and I can

1 second we fall between the cracks. And it's
2 amazing that we get funding for what we do,
3 quite frankly.

4 Yes, Margo, we can go to the Hill
5 and we have but two problems with that
6 approach. First of all, earmarks are no
7 longer viable so there's no such thing as an
8 earmark anymore. And secondly, we can argue
9 for funding for this to be passed to the
10 agency but we can't guarantee that the agency
11 will then use that funding for that purpose.
12 So we can help but that's, it's got to come
13 from the leadership within NMFS to say yes, we
14 want this program and we want to see dedicated
15 funding for it and we want to start some kind
16 of a new structure for an RFP or whatever.

17 Two other things. Because I've
18 just seen this very quickly I wanted to ask
19 Guillermo, I didn't see as I breezed through
20 this any focus on international cooperative
21 research. It looks like it's very
22 domestically oriented essentially. I would
23 suggest that if it's not in there that thought
24 be given to the importance of doing bilateral
25 research or trilateral research with other
26 nations that share these same stocks,
27 specifically or least Canada, Mexico and Cuba.
28 So I would think about that as far as the
29 research focus.

30 And then the other thing just
31 because Dave kind of brought this up. Again,
32 not to pile on but -- and I've complained
33 about this before on this panel. And I don't
34 mean to beat up Margo anymore, I know she's
35 helped with this, but collecting biological
36 samples for research still has shackles on it
37 in many ways and as I've related before I have
38 a project looking at the effects of the oil
39 spill in the Gulf on HMS and if I catch, if I
40 happen to catch a non-shark species, a non-
41 shark HMS like a tuna in one of the closed
42 areas I'm not allowed to even tag it much less
43 take blood from it or even if it's being
44 released alive. And that has resulted in the
45 waste, and now the commercial guys say yes,
46 you know what we feel like, the waste of a lot
47 of viable samples. Dozens and dozens of
48 swordfish that we could have looked at last

1 year at what the effects of the oil spill
2 levels of contaminants were in them. So to
3 the extent that you and the research arm of
4 this entity can get involved I would ask you
5 to look into this and say, you know, research
6 is important, it's a different activity than
7 commercial fishing. And these allowances
8 should be made, of course in limited ways.
9 Let's not waste the opportunity to look at
10 some of these biological as well as human-
11 related effects and look at the status of
12 these stocks.

13 MS. SCHULZE-HAUGEN: Yes, if I
14 could just respond quickly, give folks a
15 little context of what Bob was talking about.
16 If you recall for the closed area research we
17 went through quite an extensive process of an
18 environmental assessment with public comment
19 and actually a couple of rounds of that
20 because it was using pelagic gear in a closed
21 area and there was a lot of opposition, a lot
22 of interest. And after that, I mean obviously
23 we did proceed with that but it was a fairly
24 lengthy process. We committed to going
25 through a similar process if there were any
26 requests for research activities that weren't
27 within kind of the standard annual research
28 requests that we get. We do an annual notice,
29 you know, these are the requests we got last
30 year, this is what we ended up authorizing,
31 what the results are, with the information we
32 have. If there's anything that falls outside
33 of that, and specifically closed area research
34 using the gear for which the area was closed
35 that we would do separate public notice
36 comment and whatever analyses were necessary.
37 And so sometimes that can take time and if
38 there isn't the time from when the research
39 would like to start to go through that kind of
40 a process it can mean that not everything can
41 be authorized. So I think that's part of the
42 issue. Not that it can't be done, it's just
43 that we've got to go through the steps that
44 we're required to do and what we've committed
45 to do. So that's part of what happened there.

46 DR. DIAZ: Thank you for your
47 comments, Bob. With respect to -- well, first
48 of all, the fact that this research plan does

1 not address any funding issues per se. I will
2 disagree with you that makes it like it means
3 nothing. There are two ways that you can
4 approach this situation with research funds
5 and research grants. You could say, oh, this
6 is the money I have, let me make a list of
7 priorities that can be funded with the money
8 we have. Or you can say this is the
9 priorities I need, now let's use these
10 priorities to go to leadership and be sure
11 that we can fund our research priorities.
12 It's easier to get funding when you go and say
13 these are my priorities, this is what we need
14 to do and these are the reasons why than just
15 going and saying give me the money for the HMS
16 research. So this plan is identifying those
17 priorities that we need. And our goal with
18 the plan was to make it clear what we need to
19 -- what needs to be done, why we need to do it
20 and use that as an argument to go to
21 leadership and increase our funding for HMS
22 research.

23 With respect to the international
24 cooperation you are correct in the sense that
25 the plan does not identify specifics like for
26 example we should collaborate with Canada with
27 respect to this particular issue and maybe we
28 should include that in the plan. However, the
29 plan does emphasize this in certain situations
30 for certain species and certain research, the
31 need for international collaboration,
32 particularly for existing research plans or
33 research proposals that are coming out of
34 ICCAT. ICCAT is putting together, you know,
35 tagging programs and things like that for
36 bluefin. We are trying to get an
37 international tagging program for yellowfin
38 tuna and things like that that we think and
39 this plan emphasizes as I said the need to
40 support those plans and participate in those
41 plans. But you are right, if you think that
42 there are some particular issues with
43 particular countries that we should be
44 explicit about it please send me your comments
45 and we'll try to include them in the plan.

46 MR. BROOKS: Thanks. We've got
47 about five more minutes that we can spend on
48 this and then we want to shift over to Dave

1 Kerstetter. So I want to take, hear from Rich
2 and John and Elizabeth. Rich.

3 MR. RUAIS: Thank you, Bennett,
4 and I'll be real quick. I share the
5 frustration of the prior two speakers that I
6 didn't have this in advance so I'm not really
7 prepared to make a whole bunch of substantive
8 comments. But just a couple of quick
9 questions. One, what is the relationship of
10 this document to the recent proposal that we
11 saw put out or sort of the RFP that was put
12 out by the agency requesting bluefin tuna
13 research proposals? Was it on the basis of
14 this document and basically the second part of
15 that question is should we assume that the
16 numerical ordering of the issues, biological,
17 or the needs issues, the scientific needs
18 issues identified in this document are exactly
19 that, a priority? These are the priorities
20 that the agency will look most favorably upon
21 in funding. Could I ask that question and
22 then just a couple of more small follow-ups?

23 MS. SCHULZE-HAUGEN: I think the
24 RFP for bluefin was -- it takes long enough to
25 get those through that that was done
26 independently of this but I think there is,
27 you know, synergies from here forward. And
28 then the priority list, no, not as explicit as
29 that. So I wouldn't assume that just because
30 it's on page 1 it's a higher priority than
31 page 15.

32 MR. RUAIS: But can we assume that
33 for potential researchers that are out there
34 that they would be, particularly if they were
35 under number -- if their research interests
36 fell under number 1 that they'd have a higher
37 chance of success? Guillermo seems to be
38 ready to answer that one.

39 DR. DIAZ: Of course not all the
40 research that is listed in this plan had the
41 same level of priority. Some of the things
42 might be considered more important than
43 others. Now, however, the number within each
44 section does not identify the priority or the
45 level of priority of the particular research.
46 So just because age at maturity, age and
47 growth is number one in the list in the
48 different chapters doesn't mean that it's the

1 priority number one for what we need to do.
2 I don't know if that's what you are asking.

3 MR. BROOKS: I think that is the
4 question, yes.

5 MR. RUAIS: If I could, just with
6 a couple of final comments. One, we didn't
7 get very good news yesterday when I asked the
8 question of Eric Schwab about the budget
9 situation overall and presumably that also
10 trickles down to the funding available for
11 programmatic funds. But I did notice there
12 was quite a bit of news coverage of the BP
13 research monies that were let primarily to two
14 West Coast, University of Florida, Southwest
15 Florida University where Steve Murawski now is
16 and Bill Fox -- Bill Fox. And Bill Hogarth
17 currently are. And then another university
18 tied into that. Are those BP funds, are they,
19 is there recognition within BP that the
20 research that needs to be done is not only on
21 the impact of the spill on bluefin within the
22 Gulf but outside of the Gulf as well? I mean,
23 anybody that's familiar with that, that was
24 over \$10 million that I recall seeing in
25 there. Is there any relationship to our needs
26 in what BP is doing right now?

27 MS. SCHULZE-HAUGEN: I think there
28 is a Pelagics group looking from the trust
29 agencies, looking at the offshore environment.
30 I know that there are some things in the mix.
31 Whether BP acknowledges that efforts outside
32 the Gulf may be relevant, I don't know that.
33 But HMS definitely are within the
34 consideration of that process, the restoration
35 process, I know that.

36 MR. RUAIS: Final comment. Final
37 comment. I did note that you're still looking
38 for more gonads and we're doing, I think the
39 fleet in New England is doing a fair amount of
40 work at trying to provide gonads to anybody or
41 any parts, heads, or any parts of the fish
42 that are required. And the dealers and
43 individual fishermen are trying to participate
44 to the maximum extent they can. I see there's
45 also a request here of the Pelagic longline
46 fleet to do the same and I'm positive that
47 they'll be very cooperative in that spirit.
48 I'd just like to ask that if there's any way

1 to consider, and obviously they have a trip
2 limit that they have to live by so the number
3 of samples from fish that they actually bring
4 onboard would be limited, but there are some
5 dead discards involved. If there could be
6 some credit since we're in a budget -- we're
7 in a quota crunch as well as a budget crunch
8 that if there were some scientific credit to
9 utilize some of those dead discards for
10 scientific sampling that would serve two
11 objectives of providing the raw material for
12 the scientific research and help us with the
13 quota issues that we face. Thank you.

14 MR. BROOKS: Thanks, Rich. John.

15 MR. JOLLEY: John Jolley. Just
16 briefly, I'd say ditto with Kerstetter and
17 Graves on those issues. I know where he
18 stands.

19 (Laughter)

20 MR. JOLLEY: I believe this
21 emphasis on, primarily on catch statistics
22 certainly at the council level is a
23 shortcoming. And so this biological data is
24 critical and I would say secondarily that
25 there may be some opportunities developing
26 with the states to begin to get some more
27 information and get it analyzed and get it out
28 developing that we should look into
29 exhaustively. And I'd be glad to talk
30 privately about that a little later.

31 MR. BROOKS: Thanks, John.
32 Elizabeth.

33 MS. GRIFFIN-WILSON: Hi. Thank
34 you for putting this together. I realize this
35 must have been an enormous undertaking. One
36 thing that jumps out to me is that it does
37 read a little bit like a wish list and I'd
38 like to see it as more of a road map to get us
39 where we need to go. Particularly I was
40 looking at the information on large coastal
41 sharks. It's been five years since the
42 recommendation was made to move to species-
43 specific stock assessments and we're still not
44 getting there and there's no immediate plan to
45 get there. So it'd be nice to see, if this is
46 the list of species that NMFS thinks we need
47 species-specific stock assessments for, this
48 is the data we would need to do it, and this

1 is the timeline that we would ideally like to
2 do that on. And something like that would
3 make it much easier for us to take to Congress
4 and say this is exactly what we need to do.
5 And in taking it to Congress it's a rather
6 large document for most of our busy Hill
7 colleagues so to have one-page fact sheets on
8 each species or some sort of summarized
9 version of it would be very helpful as well.

10 MR. BROOKS: Thank you. And John,
11 if you can squeeze it in quickly we'll --

12 MR. GRAVES: I guess everybody
13 knows what I'm going to say so what's the
14 point?

15 MR. BROOKS: You could just say
16 ditto to John.

17 MR. GRAVES: No, actually,
18 Guillermo, thanks for doing this. On the
19 ICCAT Advisory Committee we've been making
20 research recommendations for 16 years and
21 provided them to the AA and then wondering
22 what was happening with them. And in many
23 cases they, you know, with particular AAs
24 there has been funding made available really
25 through the HMS office. And I realize that
26 you're going to go through some budget cuts
27 and that having expendable funds for this is
28 going to be tough but it does provide a list
29 just as the ICCAT Advisory Committee research
30 recommendations do for us to take to other
31 places showing at least that this is what the
32 government thinks, you know, as well. So it
33 gives us something to work with which is good.
34 It would be a lot better if we had money to do
35 this but hopefully we can be creative and find
36 that.

37 But my real point here was one
38 that has to do with sort of the biological
39 collections. And Margo, I've talked to you
40 about this before and I realize that there's
41 some constraint with the EFP program. But in
42 a time of dwindling funds I can no longer have
43 a captain on a vessel collect the samples for
44 me opportunistically. I have to have
45 essentially one of my employees on the boat
46 and the captain certify it to the point that
47 for instance, Rom Whitaker had volunteered to
48 get baby bluefin which you run into this time

1 of year occasionally. You can't predict that
2 you're going to run into them or whatever.
3 And if he could hold them, but you know,
4 because Rom could all of a sudden with that
5 permit load up on 50 baby bluefin tuna and
6 just go to the market and sell them you know
7 he can't do that. And so I can't, I don't
8 have the funds to put people on five different
9 boats on any particular day in the chance that
10 they may run into those animals. And when I
11 do a boat calls me up and says, you know, I'm
12 into these now and I need to then get that
13 captain and that boat on the permit and then
14 get a student there. And your shop has been
15 very responsive but if it can happen within
16 two weeks' time frame that's quick. But that
17 isn't the way the fishery works. The fishery
18 works on day to day presence or absence. And
19 so, and I know there's several other
20 researchers around here that have had similar
21 problems. So if there's some way that we can
22 work the EFP to be a little more flexible or
23 to allow individuals. I mean, I could send an
24 email saying that you know I authorize Rom
25 Whitaker on this day to collect X number of
26 things and he has a certification of that
27 rather than having to send somebody down, well
28 you can't get to his boat now, but if you
29 could, you know, so it's a problem. And I'd
30 like to work with you and do it offline but
31 some way to improve the flexibility of the EFP
32 program.

33 MS. SCHULZE-HAUGEN: If I could
34 just quickly. The EFP program has evolved
35 over time and it has gotten far more rigorous,
36 it has gotten far more rigorous than it used
37 to be. And part of the reasons that it has
38 gotten more rigorous is because people took
39 great advantage of it and were doing things
40 far outside the realm of the EFP. And so, I
41 mean illegal activities. So, because of those
42 experiences we've -- the pendulum swung the
43 other way to get it more restrictive. It is
44 a privilege. People are doing things that
45 other people can't and we want to make sure
46 that those privileges aren't abused. But I'm
47 happy to think about how we could operate a
48 little more flexibly. It's a lot on us too so

1 there could be some advantages. As long as we
2 don't lose the ability to not, you know, have
3 -- enabling that in means it wasn't intended
4 for.

5 MR. BROOKS: I know there's
6 another card up. I'm going to jump to Dave
7 because we've got to get him. It's Ken's
8 first time up.

9 DR. NEILL: This is just real
10 quick. Basically I just wanted to kind of
11 reiterate what the scientists have said in
12 here. These biological sampling opportunities
13 sometimes are very, very short and I am
14 involved with collecting samples for various
15 researchers. And it would be nice if the
16 agency had the authority to make a snap
17 emergency temporary, just a very temporary
18 okay and then we're going to look at it. Just
19 maybe a short-term thing instead of just
20 giving them a blanket thing where they can get
21 into illegal activities. Just a very nimble
22 in the Gulf if he has that opportunity, okay,
23 and then go through your regular process after
24 that, just a very quick temporary
25 authorization.

26 MR. BROOKS: Thanks, Ken. Well,
27 it sounds like there's an opportunity to talk
28 about, you know, how that might be structured.

29 DR. DIAZ: I just want to thank
30 all of you for your comments. Within the next
31 three weeks if you can send me, again, more
32 specific comments, things that you think they
33 might be missing in the research plan or we
34 need to emphasize please do so. Again, send
35 me research comments. If you have any
36 questions with funding just send that to
37 Michael.

38 (Laughter)

39 MR. BROOKS: Okay. Dave
40 Kerstetter, the floor is yours.

41 DR. KERSTETTER: Amazing how that
42 works. I feel like this whole thing is, this
43 whole presentation is much ado about nothing.
44 Most of you around this table were here in the
45 springtime when I gave a half-hour or so
46 detailed presentation on the time/area closure
47 research that we conducted from 2008 to 2010.
48 I did submit the final comprehensive report on

1 the work at the end of July and I believe it's
2 in the back so it's been distributed. So
3 please let me know if you have any questions
4 about anything.

5 I guess the most substantive
6 change if really you can even call it that is
7 the methodology by which I considered what was
8 a closed set versus an open set. In brief
9 summary, for the presentation in the spring I
10 considered a closed set as anything where the
11 set started inside the closed area versus
12 started in the open area. What I did for the
13 second analysis that's in the final report is
14 if either the start of the set, end of the
15 set, or the start of the haul or end of the
16 haul. If any of those four points were in the
17 closed area then it was a closed set. The end
18 result was really no difference in any of the
19 analyses and I'll go ahead and go through
20 these.

21 So we ended up having 188 sets,
22 not 192 that I talked about in the spring HMS
23 AP meeting. As we went through the sets again
24 there were four sets that occurred in the open
25 area that were conducted by a non-POP
26 certified member of my research staff because
27 that was outside the protocols. We went ahead
28 and excluded those just to be clear. Now the
29 same number of individual fish approximately
30 were caught during the same research as I
31 talked about in the spring. Again, only 76
32 combined billfishes were discarded dead.
33 Shark bycatch was relatively minimal with the
34 exception of night sharks that we caught in
35 great numbers during late March and early
36 April inside the Charleston Bump time/area
37 closure. Only five sea turtles all of which
38 were released alive. No sea birds and marine
39 mammals. So we all know the current time/area
40 closures, I won't belabor that point all too
41 much. All of this work occurred within the
42 Florida East Coast and Charleston Bump
43 time/area closures.

44 So the three basic goals, the
45 comparison of catch rates, comparison of
46 historical and contemporary catch rates and
47 the comparison of the catch rates on the
48 various hooks. But again, the primary focus

1 was the one that was in bold here which is the
2 comparison of catch rates between the open and
3 closed areas.

4 So the objectives again were to
5 evaluate those catch rates, to look at bycatch
6 reduction potential for the 18/0 non-offset
7 circle hooks which are non-standard in the
8 fishery although obviously a legal gear, a
9 terminal gear type. But one of the things
10 that I'd like to keep doing is to collect data
11 on the spatial and temporal relationship
12 between target and bycatch species. And as I
13 go through the analyses on the catch rates
14 I'll talk a little bit about that more.

15 So again as review we weren't
16 allowed to conduct these research sets
17 throughout both of these time/area closures.
18 There was a limit to how much we could go into
19 in the Florida East Coast time/area closure.
20 I guess it would be more appropriately an area
21 closure since it's closed year-round. The
22 original experimental areas were in pink here
23 although we did get an extension in yellow in
24 the 2009 EFP renewal.

25 So there were four main ports,
26 Dania, Pompano Beach, Cape Canaveral and
27 Cherry Point. There were no compensation on
28 this. Even the vessels had to provide their
29 own hooks. But I've got here a list of the
30 number of sets and number of trips conducted
31 by each of the various individual POP I have
32 to put "certified" in quotation marks because
33 the POP doesn't technically certify observers,
34 but those who have gone through the POP
35 program and get 3-digit POP identification
36 codes. One of the two in the top of this
37 chart is actually my observer code. So yes,
38 I was out to sea during each of the three
39 years observing these sets myself. So I do
40 know that samples can be collected in addition
41 to the data.

42 Now, there were all these
43 individual research sets, again these are the
44 3-digit observer code plus the trip number
45 here along with the number of sets after the
46 colon. This table is also in the final
47 report. We did call for 256 experimental sets
48 over a one-year period. It would have given

1 us a minimum power of 0.9. Even though we
2 only had 188 final sets in the project we
3 still ended up with statistical power on
4 pretty much every species. Again, the
5 difference between how we counted what was an
6 open set versus a closed set resulted in a lot
7 more of those sets being included on the
8 closed area.

9 So for the catch rates, and this
10 was also somewhat of a change from the
11 original spring presentation I presented in
12 both arithmetic means and geometric means.
13 And it won't make -- I'll try to explain this
14 briefly. It doesn't make a whole lot of sense
15 to most people. A mean is a mean, an average
16 is an average. The geometric mean is being
17 used increasingly more often to represent
18 average values where the values themselves
19 have a broad range. It was originally
20 developed for things like bacterial cell
21 counts where in one plate you could have zero,
22 another plate 10, and another plate 10,000.
23 And so if you were to just take the arithmetic
24 mean of all those you'd get a true, unbiased
25 value. But it wouldn't really be as
26 representative of what was in each of those
27 plates. And so for all of these I have the
28 arithmetic mean in italics and then the
29 geometric mean in regular font.

30 So, that all being said the catch
31 rates for swordfish, obviously the catch rates
32 for -- regardless of which mean you use were
33 higher inside the time/area closures. And all
34 of these differences were highly significant
35 and all had fairly good statistical power. If
36 you were to look at retained only, generally
37 looking for a power of about 0.8 to really be
38 as hard and fast as I'd like, but even 0.559
39 is pretty good. When I went through and did
40 the analyses I used GLMs, generalized linear
41 models, and the significant terms for these
42 were kind of interesting. For both the
43 retained, discarded/released and for all
44 swordfish altogether there was a highly
45 significant term for the area. So there was
46 a very clear area effect. And for the
47 discarded and released there was also a strong
48 signal for a quarter, so a seasonal component

1 to that as well.

2 Going for tunas and mahi, a little
3 bit of a difference here. Dolphin were higher
4 CPUEs inside the area closures. Tunas were
5 generally higher CPUEs outside and that kind
6 of makes sense to anybody that's fished in
7 these areas. All of these have very high
8 statistical power and all of these were highly
9 significant or significant. But again, for
10 the tunas and dolphins, dolphinfish there were
11 significant terms within the GLM for at least
12 area and usually an area and season.

13 For billfish bycatch a little bit
14 contradictory although maybe not so much if
15 you've fished the area and think about the
16 species individually. For white marlin and
17 blue marlin higher CPUEs in the open area.
18 They're more oceanic species. Sailfish, a
19 more coastal species, higher CPUEs inside the
20 area closures. All of these differences were
21 significant although the statistical power was
22 not that great in part because these are rare
23 event bycatch species even for this number of
24 sets in these areas. And again, significant
25 terms in the GLMs for areas in season.

26 Just a map of some of the billfish
27 bycatch which if you squint and think about it
28 a little bit it's also reflective of where
29 most of the effort occurred which was down in
30 the southern part of the allowable research
31 area within the FEC area closure. The effort
32 within the Charleston Bump time/area closure
33 was a little bit more broadly set out but not
34 as much billfish bycatch certainly.

35 Now for sharks this is where I
36 still think it gets really kind of
37 interesting. Tiger sharks, higher CPUEs
38 inside the closed area just like silkies and
39 duskies, and even shortfin makos. The one
40 really striking one again is the night sharks
41 which were very, very common inside the
42 Charleston Bump time/area closure during that
43 late spring period. I mean we were getting
44 incredible CPUEs inside some of those sets in
45 very, very high statistical power to those
46 analyses. So I've told this to John Carlson
47 at the Panama City lab and as well as Lisa
48 Natanson. So if anybody is interested in

1 doing night shark research we know exactly
2 where to find them in high numbers. But
3 again, significant terms for the GLMs for both
4 area and season.

5 These are some of the same
6 conclusions that I reached back in the spring
7 presentation. The EFPs were pretty
8 restrictive and so we didn't quite have the
9 participation that we'd hoped for. Some of it
10 was that vessels seasonally transit through
11 some of these areas, especially the Charleston
12 Bump. They didn't want to fish there year-
13 round. There were issues in terms of a couple
14 of the vessels with ownership or outstanding
15 NOVAs. Some of them simply did not want to
16 fish the non-offset 18/0s. So there were some
17 things that probably would be changed for any
18 kind of future projects.

19 That all being said there was
20 pretty broad support within the industry for
21 this work and even in the southern part of the
22 allowable research area within the FEC there
23 were zero interactions with any recreational
24 vessel which was something that we were kind
25 of worried about earlier. Leaving aside the
26 whole post-release mortality issue that we
27 debated ad nauseam about yesterday and
28 defining mortality here as simply mortality at
29 haul-back of the gear the overall billfish
30 mortality was pretty minimal and there was no
31 mortality at haul-back at least for sea
32 turtles. And pretty low bluefin tuna
33 incidental catch. But again, if you've ever
34 fished this area you know that bluefin catch
35 is pretty minimal. So that was not a surprise
36 at all. Higher catch rates of swordfish and
37 swordfish discards within the closed areas,
38 particularly in the FEC time/area closure.
39 Still unknown exactly what the difference
40 between the offset and the non-offset 18/0
41 circle hooks meant in terms of catch rates.
42 In talking with the captains that participated
43 in the project they actually have told me,
44 again anecdotal, take it for what you will,
45 that the big difference for them was not that
46 they saw lower catch rates but they had to
47 change the style of haul-back. And it's
48 something that I've noticed anecdotally in

1 several of the circle hook studies that I've
2 done so far. It'd be nice to have a
3 comparative project of offset versus non-
4 offset 18/0s. Probably not as high a research
5 priority as some of the other projects.

6 One of the things I alluded to in
7 the introduction was that almost all of the
8 species that we looked at within this project
9 had highly significant area and seasonal
10 effects which says to me pretty clearly that
11 this provides a great opportunity to go back
12 inside these areas and try to identify
13 seasonal or area-specific hot spots. Given
14 the low rates of billfish bycatch, given the
15 extremely low rates of bluefin tuna incidental
16 catch I think that there are opportunities to
17 go back in here and look at ways to
18 specifically identify those spots for later
19 avoidance. You know, you'd have to obviously
20 predicate that on all sorts of other concerns
21 including protected resources but I think that
22 there is an opportunity for future research
23 that we probably should not overlook in our
24 ongoing discussions about fleet
25 revitalization.

26 So with that I'll take any
27 questions. Certainly you all have the final
28 report and if you don't ask me here, you think
29 about a question later please drop me an email
30 and I'd be happy to talk with you about it.

31 MR. BROOKS: Okay. We've got Sam
32 Rauch waiting to speak to you all on the
33 National Ocean Policy and we don't want to
34 keep him waiting but we'll take, we literally
35 have about one or two minutes Margo tells me
36 so I know we will not get everyone in. So
37 Vince, as quick as you can make it so we can
38 hear from a couple of people here.

39 MR. PYLE: As quick as I can make
40 it. Dr. Kerstetter, with your results
41 scientifically why would this area that you
42 did this, performed this research,
43 scientifically why would it stay closed?

44 DR. KERSTETTER: I'm not sure if
45 that's necessarily a scientific question as
46 much as a management one. Certainly we did
47 see higher rates of juvenile bycatch inside
48 those area closures but we also saw higher

1 catch rates of retainable swordfish. The
2 question about whether it should remain closed
3 is one that would have to do with not only
4 juvenile swordfish but other bycatch species
5 including billfish and protected resources.
6 And so again in my evaluation it would be a
7 management question and a very legitimate one
8 about whether those areas should remain closed
9 given things like the rebuilding of the
10 swordfish stock. But it would not be based
11 solely on considerations of the swordfish
12 stock. So I will defer the rest of the
13 question to the management agency.

14 MR. BROOKS: Well navigated, Dave.
15 John.

16 MR. JOLLEY: Yes, thanks, David.
17 The West Palm Beach Fish Club would like to
18 see you do this again and I hope I don't get
19 in trouble with some of my fellow NGO
20 colleagues here but we'd like to see you do it
21 again, David.

22 MR. BROOKS: Thanks. Terri.

23 MS. BEIDEMAN: I also would like
24 to see further research but Dave, do you know
25 if you or anyone else is taking a look at what
26 -- comparing the CPUEs and other detailed data
27 against the J-hook data which was the
28 predication of all of these closures was on
29 the use of J-hooks. And we had CPUE catch
30 rates for juveniles, et cetera. Has anyone
31 taken a look to compare where we were then in
32 terms of what we're -- because we're now not
33 allowed to use J-hooks. We've had seven years
34 of mandatory circle hooks and not one inch of
35 these areas has even been considered to be
36 opened. And they were closed based on a gear
37 we're not allowed to use. So do you know if
38 anybody has taken a look at comparing those so
39 that we can actually see how much improvement
40 we make using circle hooks? Maybe we don't
41 need to use a broad big closure. We have
42 other tools in the toolbox.

43 DR. KERSTETTER: Yes, I'll leave
44 the, again, the management considerations of
45 that, this result to the management agency for
46 their own use. There have been a number of
47 studies now comparing circle hook and J-hook
48 catch rates and the results are generally

1 consistent in terms of things like mortality
2 at haul-back, hooking location. However,
3 those studies have been relatively limited in
4 scope and different geographic areas will have
5 different concentrations of different target
6 and bycatch species. As far as I know nobody
7 has done that kind of comparison specifically
8 for the catches within the FEC and Charleston
9 Bump time/area closure nor anywhere else
10 within the Atlantic per se. And without
11 having a paired comparison to compare catch
12 rates at different populations over time it
13 would be very difficult to make an apples to
14 apples comparison unfortunately.

15 MR. BROOKS: Thanks, Dave. I know
16 there are more questions and comments that
17 folks want to get on the table but we're going
18 to lose Sam here shortly so we need to get him
19 up here. And perhaps after Sam talks about
20 the National Ocean Policy we'll be able to
21 circle back and take a couple more questions
22 if we can. So, Sam, if you're able to come on
23 in at this point we invite you up here. Thank
24 you.

25 MS. SCHULZE-HAUGEN: Yes, so Sam
26 is the deputy AA for regulatory programs. So
27 he is the number two person and all of the
28 regulatory actions go through his review. I
29 also wanted to mention just in conclusion that
30 our SAFE report does include data on J-hook
31 versus circle hook information so I would
32 encourage you all to look at what we have
33 there.

34 MR. BROOKS: And David, thank you
35 very much.

36 MR. RAUCH: All right, welcome. I
37 am Sam Rauch, the deputy assistant
38 administrator for regulatory programs. I
39 oversee not only our Fisheries Management
40 Program but our Protective Resources Program
41 and our Habitat Program as well as our
42 Aquiculture Program and some other associated
43 things. I came and spoke with this group some
44 time ago about the ocean policy and I've been
45 asked to come and speak again and provide you
46 an update. I am going to not go into as much
47 detail on the fundamentals of the policy as I
48 did last time although I'll cover it somewhat

1 generically. But I will focus mainly on where
2 we are right now and where we're going in the
3 near future.

4 The other thing as I mentioned the
5 last time I was one of the chief NOAA
6 negotiators on the policy. So if there's
7 things that you like in it, that's what I
8 wrote and if there's things you don't like in
9 it that's what Interior wrote.

10 So the policy is divided -- the
11 policy was issued formally July 19th of last
12 year. It contains a number of major sections.
13 One is a lengthy description of the policies
14 that all federal agencies should follow in
15 their approach to the ocean. It sets guidance
16 parameters on that. There is a mechanistic
17 structural section that says how the agencies
18 are going to collaborate in terms of a
19 National Ocean Council, what that's going to
20 mean, what happens if there are disputes.
21 Then there are nine specific priority areas
22 that the policy lays out for special emphasis
23 and within that is the framework for Coastal
24 and Marine Spatial Planning. And so I will
25 talk a little bit about where we are on all
26 those things.

27 So the policy itself was issued.
28 It mainly -- I skipped, I thought I had a
29 slide on it. It mainly sets out the framework
30 for how the agencies are supposed to
31 collaborate, that is the most significant
32 thing that the policy has. Before this policy
33 was out there there were 22 different federal
34 agencies dealing in some manner with the
35 ocean. Each had their own vision. Now we're
36 operating under a common vision. It talks
37 about the importance of the ocean as a multi-
38 use area that in order to achieve important
39 economic benefits from it we have to make sure
40 that there's a certain amount of environmental
41 and system habitat health or we will not get
42 those benefits. It recognizes the linkages
43 between what goes on on land and what goes on
44 in the ocean. There's important ecological
45 and economic connections between the two and
46 so there are many discussions about how it's
47 important to look at that. It is not a
48 preservation policy, it's a conservation

1 policy and that we need to mindful of the
2 environmental consequences of what we do but
3 we also need to make sure that we always
4 remember that the ocean is an important
5 economic driver for much of the country.

6 So the policy was put in place by
7 executive order on July 10th. It is in place
8 now. The agencies are required to the extent
9 they have discretion to follow it and we are
10 striving to do so. The structure to oversee
11 the policy implementation is the National
12 Ocean Council. It was created, I do not
13 believe the last time I was here it had been
14 formally created. It was formally created in
15 the fall of last year. It has met several
16 times. It is working on a number of guidance
17 documents that I'll get into in a few moments.
18 It is made up of cabinet-level officials, the
19 Secretary of Interior, of Commerce, of the
20 Navy, other cabinet-level officials of those
21 22 federal agencies. The one exception is the
22 head of NOAA. So Commerce basically gets two
23 votes on the ocean council. It is co-chaired
24 by CEQ and the Office of Science and
25 Technology Policy. Below that is the steering
26 committee and the deputies which NOAA chairs.

27 There is an external committee
28 called the Governance Coordinating Committee
29 that has state, tribal and local
30 representatives broadly from around the
31 country. Once again, I'm not sure that that
32 was created the last time I talked. It has
33 been created now. They solicited
34 recommendations from the governors, from large
35 regional planning bodies. That committee has
36 formed and has met a number of times and is
37 providing advice to the ocean council. There
38 are a number of other committees that are
39 important. The one below the Governance
40 Coordinating Committee is the Ocean Research
41 and Resources Advisory Panel. That was a
42 preexisting panel that focused largely on
43 scientific input but it didn't have to, its
44 mandate was broader. It could look at a
45 broader level of things. It is designed to be
46 the stakeholder input group below the
47 jurisdictional input group.

48 And then there are two

1 governmental committees. One is the Ocean
2 Research Management Interagency Policy
3 Committee which is chaired by NOAA and DOI.
4 The other is the Science and Technology
5 Committee which is chaired by NOAA and, I
6 forget who the other one is. We play in both
7 of those. Those have met a number of times
8 and they are very active in the strategic
9 action plans which I am going to talk about in
10 a minute. They also will take an important
11 role in looking at the Coastal and Marine
12 Spatial Plans when we get to that. And below
13 that there's a number of working groups.

14 The policy itself as I mentioned
15 has nine important areas which we are supposed
16 to focus on that are divided into how we do
17 our business in terms of Coastal and Marine
18 Spatial Planning, ecosystem-based management,
19 coordinating between the 22 federal agencies
20 to try to streamline permitting and improve
21 scientific decision-making. And then five
22 substantive areas, climate change or
23 adaptation mainly, regional ecosystem
24 protection, the linkages between the land-
25 water interface and the Arctic as well as
26 increased emphasis on our observation system.
27 Within each of those nine areas there are
28 strategic action plans that are being
29 developed that will provide some more meat to
30 the bones. The policy itself if you've read
31 it contains a number of pages and guidance as
32 to what we should be doing at a high level in
33 each one of those. We have put out strategic
34 action plan outlines which provided some more
35 texture to what we were looking at for those.
36 Those went out for comment earlier this year
37 in June. So we took public comments on that.
38 We had a series of public meetings on which
39 direction we were thinking that we were going.
40 We are about to issue the drafts themselves of
41 the strategic action plans which will provide
42 much more detail in each one of these nine
43 areas as to what we are doing as we move
44 forward. We will also put those out for
45 public comment and the idea is that by early
46 next year those will be done.

47 As I said we took public comments
48 on the initial what should be in the plan. We

1 took public comments on the outlines of the
2 plans and had the regional listening sessions
3 in June and July and we are going to continue
4 to do that. So to the extent that you are
5 interested in these action plans the
6 government has committed already to a lot of
7 opportunity for stakeholder involvement and
8 there will be at least one more major push as
9 the drafts come out soon and you'll be able to
10 comment on those.

11 So for the rest of this discussion
12 I'm going to talk about the Coastal and Marine
13 Spatial Planning. It has been an issue that
14 is very important to the fishery interests
15 themselves. I'm not going to talk about why
16 we're doing that, I did that last time, but
17 the important part of the marine spatial
18 planning that is coming up is the formation of
19 the regional planning bodies. These are the
20 people that are actually going to write the
21 plan. They are jurisdictional entities,
22 state, tribal, the federal representatives
23 with the authorities relevant to the CMSP.
24 They are charged with bringing in the
25 stakeholders and making sure that it is an
26 open public process based on sound science.
27 They are charged with developing from the
28 bottom up a regional approach that can differ
29 between regions. The policy itself says that
30 they are charged with consulting, a formal
31 consultative role with the Fishery Management
32 Council. It leaves open the possibility that
33 the councils will have a more substantive role
34 and will actually be on the planning bodies
35 themselves.

36 For those of you who have heard me
37 talk in the past you will know that NOAA has
38 been pushing for the councils to have that
39 stronger role actually to sit on the planning
40 bodies themselves because they have
41 independent jurisdiction. They exercise by
42 statute a policymaking role. So it is
43 important in our perspective that they be on
44 the council. That process is still going on.
45 We have not received final decision one way or
46 another. I had expected that the regional
47 planning bodies would initially be created
48 without the councils because that is what the

1 policy says and that the councils would be
2 added later. However, there is a push right
3 now to add the councils at the initial stage
4 which I think is a positive development. I
5 don't know whether that will happen or not.
6 I would not be surprised either way if -- so
7 the two possibilities I believe are that the
8 regional planning bodies are created among the
9 states and tribes and the traditional
10 jurisdictional entities and the councils are
11 given a formal consultative role and on a
12 case-by-case basis they're included back.
13 Alternatively, I think there is a possibility
14 that they could be included at the initial
15 outset, certainly something that is an outcome
16 we are pushing for.

17 So at the moment what has happened
18 is that there has been a number of -- there
19 has been a national workshop that looked at
20 how these regional planning bodies would
21 function. We are expecting guidance any day
22 on what the regional planning bodies would
23 look like from the national organization, the
24 National Ocean Council. A number of regional
25 entities are pre-placing themselves to be the
26 regional planning bodies. So those processes
27 are going on. We need the guidance and then
28 we need the formal application process, the
29 Memorandum of Agreement between the federal
30 agencies to actually form those bodies. Once
31 the bodies are formed they will take a number
32 of years likely to craft a plan that then will
33 be the basis for the marine spatial planning
34 that the federal agencies at least will follow
35 to the extent they have discretion to do so.
36 I expect those plans will be out in a
37 staggered format. I expect that there will be
38 some regions of the country that will do them
39 sooner than others. All of the regions will
40 try to do them and we have had various --
41 there are some regions of the country that
42 embrace this concept and other regions of the
43 country that are either -- are more skeptical
44 or just uncertain as to how this would go
45 about. So that's still a work in progress.
46 The next major step though will be the
47 creation of the regional planning bodies
48 themselves.

1 I think I covered this. The one
2 aspect that I did not cover is that we are
3 also at the same time working on the data
4 structure for this. I think the last time I
5 was here we talked about the importance of the
6 various data sets. One of the main
7 impediments to doing marine spatial planning
8 is that you have a number of great people
9 doing great work on data systems that don't
10 talk to each other, and to be able to overlay
11 that work so that you can make a decision is
12 an important task. So the policy talks about
13 a national information management system and
14 prototype data portal. The database people
15 have been working feverishly for the last year
16 to try to get that done. I expect that in the
17 upcoming months we will see progress on that
18 in rolling that system out. It will still,
19 like any system, take awhile to be fully
20 operational and effective but we'll have the
21 protocols out, we'll start populating that
22 system.

23 The national workshop as I
24 mentioned on regional and spatial planning
25 talked about a number of important things and
26 I thought I should share a few of those with
27 you because I think you might feel that those
28 are relevant. They did talk about the
29 importance of science and evidence-based data.
30 That goes both ways. There is a number of
31 environmental parameters that need to be taken
32 into account but there's also a number of
33 economic parameters that are very important
34 for us to realize in going and looking at the
35 different aspects. We have to have evidence-
36 based data for all of those kinds of decisions
37 and we cannot ignore either the environmental
38 or the economic consequences of what you might
39 do in a particular area. Also though
40 important is the traditional knowledge. This
41 is particularly important with fishermen who
42 often will not be as forthcoming about where
43 the good fishing areas are. That's an
44 important business secret for them or business
45 edge for them and getting that effectively
46 into the system in a way that respects the
47 importance of that, the confidentiality of
48 that, that's a difficult thing for this in

1 taking into account fishing interests. But
2 making sure that we have an ability to do that
3 is important.

4 Representing the existing local
5 regional entities. If you've heard me talk
6 before you've heard me say that this system,
7 this Coastal and Marine Spatial Planning will
8 never work if it is a top-down approach, if we
9 sit here as federal agencies headquartered in
10 Washington and dictate to the states and
11 localities how things are going to happen.
12 Because frankly our area of authority while
13 broad is limited. A lot of what happens on
14 the ocean happens in state waters under state
15 or local jurisdictions or on the coast and you
16 have to have those people buying in,
17 participating in the process, which means that
18 you need to be able to design the process to
19 meet their needs. If the state and local
20 governments and participants do not believe it
21 serves their needs this process will be a
22 federal agency plan that gets put on the shelf
23 and will never be used. So it won't work. So
24 we need to have that local representation.
25 That was an important theme of that.

26 There needs to be incentive
27 programs. One of the reasons that the energy
28 companies have expressed interest in Coastal
29 and Marine Spatial Planning is once you've
30 determined that an area is particularly suited
31 for energy development or not suited for
32 energy development it actually makes their job
33 easier, it makes business planning easier.
34 Providing some certainty in the process is
35 important to many of the people that are
36 looking to fully utilize the ocean. It
37 provides -- there are some incentives to
38 fishing interests who have been frustrated by
39 those kind of siting decisions and not being
40 at the table. There needs to be incentives
41 for the people in the process to pursue it
42 vigorously and to get it done. If it is done
43 right those incentives will be inherent. If
44 it is not done right then they won't be and so
45 that's an important part to both balance the
46 need for flexibility versus the need to
47 provide some sort of systematic consensus. We
48 talked about the last one.

1 So that is the end of the
2 presentation. I will be happy to take
3 questions. I see there's a few.

4 MS. SCHULZE-HAUGEN: Can you maybe
5 talk a little bit about how, what kind of
6 guidance you might have for the advisory panel
7 either as a body or individuals to engage?

8 MR. RAUCH: Sure. At this point
9 the main focuses for engagement is the public
10 process that has gone on so far and will go on
11 continuously on the strategic action plans.
12 The broad policy plans, that is where the
13 government is going to put its resources to
14 try to carry out. So engagement in those
15 right now is very important, those will be
16 coming out soon. Over the winter we'll be
17 going through, finalizing those. There will
18 be a lot of opportunity for public comment but
19 that's an important option.

20 On the Coastal and Marine Spatial
21 Planning I think it is important to be mindful
22 of the regional planning bodies in the areas
23 of expertise. So there's a number of them
24 that cover the Atlantic HMS Fishery. Unlike
25 the councils which have a jurisdictional role
26 this organization will not get that same seat
27 at the table, will have the same sort of
28 consultative role though. We want to make
29 sure that is vibrant and that these opinions
30 and concerns about fishing are heard in that.
31 So I think there is a clear role for that.
32 And so they need to pay attention to where
33 these regional planning bodies are set up,
34 what the participation process is, how you can
35 make sure that the views of this group are
36 effectively informed. I can't tell you the
37 answer to that yet because the planning bodies
38 themselves are still not formed. But a lot of
39 discussions have been going on. I know the
40 councils have reached out and had a number of
41 discussions with those regional planning --
42 what will likely be the regional planning
43 bodies in their area and have already talked
44 about that if they don't get a seat at the
45 table what that would look like. It's still
46 somewhat fluid but that's an important I think
47 effort.

48 MR. BROOKS: Thanks, Sam.

1 MR. HUDSON: Good morning, Sam.
2 It's Rusty Hudson, director of Sustainable
3 Fisheries. It's been about a year since I
4 spoke to you last and perhaps Eric's talked to
5 you since yesterday about National Standard 2
6 and the timeline on that but that's not going
7 to be my question. That'll be on sidebar.
8 Are you familiar with the Alaska-Washington
9 State letter from this past month? It's about
10 a five-pager. They account for over half of
11 all the seafood domestically produced in the
12 United States and they have real concerns
13 about the NOP. And to quote them, "There are
14 concerns about the creation of new
15 bureaucracies with unprecedented poorly
16 defined mandates, federal processes that at a
17 minimum duplicate and appear to conflict with
18 the existing regional fishery management
19 council process established by Magnuson.
20 They're also concerned about the diversion of
21 scarce and declining funds to new programs
22 that are not authorized by Congress and away
23 from congressionally authorized fisheries
24 science, monitoring and other activities
25 necessary to conserve and manage marine
26 resources." That's all I'll read out of it
27 but I'll be glad to provide you a copy of it
28 if you've not seen it. But I just wanted your
29 opinion on what they say since they account
30 for over half of our seafood.

31 MR. RAUCH: I think that that
32 opinion stresses the importance of having the
33 councils actually on the regional planning
34 bodies. If the councils are co-signatories
35 and developers of the plan a lot of those
36 concerns go away because the councils bring
37 their expertise, are fully part of the
38 process. The Coastal and Marine Spatial Plans
39 are designed to deal with much more than just
40 fishing. They are to look at energy
41 development and other kinds of things, things
42 that the councils do not traditionally deal
43 with. So we have, right now we have a system
44 where you've got multiple federal agencies
45 dealing with multiple kinds of things and
46 there's no unifying force. If the councils
47 are there, a lot of those problems can go
48 away. If the councils are not there a lot of

1 those problems arise where you have these
2 potentially conflicting processes that may not
3 align themselves together. That's why we've
4 been pushing for the councils. I think that
5 in terms of the federal budget realities like
6 many things we are looking at austere budget
7 times and we have to determine how we are
8 going to carry this out.

9 We should be mindful though that a
10 lot of these processes were carried out, a lot
11 of the development and the groundwork has been
12 laid under the existing federal budget
13 process, without new funds. It is clear to do
14 this well and to do this for the long term it
15 would require an investment of funds that we
16 need to be able to make. There are some
17 budget requests in the various budgets that
18 are out there. It remains to be seen whether
19 they'll be fully funded or if they're not
20 funded how the federal government will carry
21 this on. You can have a marine spatial plan
22 at a lesser funding levels than it requires,
23 than it might require to do a complete, whole,
24 robust plan. We're making contingency plans
25 for that. We are mindful that in order to
26 fully bring our partners in they also need
27 funds to do that. So there are a lot of
28 issues that are still being developed. A lot
29 of those have to do not with the concept of
30 marine spatial planning per se but with the
31 overall federal budget picture which is at a
32 higher level than I can respond to.

33 MR. HUDSON: Just as a quick
34 follow-up. Roy Crabtree, are you familiar
35 with in our region? Had brought up the
36 spatial planning thing. And just before the
37 BP oil spill there had been a lot of effort on
38 energy, and I noticed that you mentioned that,
39 about putting oil rigs on both coasts of
40 Florida. So that I believe was where he felt
41 we might have some issues with fishing and the
42 energy.

43 MR. RAUCH: Yes, if you look
44 around the world, I just got out of a meeting
45 with the Norwegians yesterday. They have been
46 doing something similar to marine spatial
47 planning for a number of years. The fishing
48 administration there who I was meeting with

1 was very supportive of that. It was spurred
2 by energy production and energy oil well
3 siting and trying to make sure that that is
4 done in a manner that fully incorporates the
5 needs of the fishing and other important
6 aspects of the economy. So energy siting is
7 clearly a big driver in this. Not the only
8 one, but it's an important one.

9 MR. BROOKS: Thanks. We'll take
10 two more questions here and then we need to
11 get to a break and we need to let Sam get back
12 to his other business. Rick.

13 MR. BELLAVANCE: Thanks. Good
14 morning, Sam, how are you? First, I'd like to
15 start out by saying I'm thrilled with NOAA's
16 work with marine spatial planning and I'm a
17 big fan of NOAA actually being a lead agency
18 under the Department of Commerce in marine
19 spatial planning and also the siting of some
20 of these renewable energy projects, but that
21 may not actually be the case with the
22 Department of Interior seeming to take the
23 lead through BOEMRE. But I still do support
24 the work you folks are doing. I think it's my
25 opinion anyway that the data, the research
26 that's conducted under NOAA is way more
27 beneficial to determining the best sites for
28 these projects and I just would offer that all
29 folks within your agency keep pushing to try
30 to get that seat at the table. I know you
31 have one, but a stronger seat and continue to
32 work towards that because it's certainly
33 helpful. Just before I came down here we had
34 a meeting with the fishing community and
35 BOEMRE and they do seem to be lightening up
36 their grip on this whole thought that they're
37 the ones that get to make all the decisions,
38 and it's good to see that, and I think it's
39 because of folks like you just pounding on
40 their door saying, you know, we need to really
41 take part in this process. And I would
42 recommend you keep doing that because it's
43 definitely working. And they also mentioned
44 the increased role in the councils within
45 their leasing process so that was good to hear
46 as well.

47 I would also make a
48 recommendation. This is a confusing process

1 in the fishermen's eyes. I think I mentioned
2 this at the workshop in June. It's difficult
3 for fishermen to get a grip on all of these
4 different agencies and the different processes
5 that are involved. And you coming out here to
6 explain it to us is extremely helpful and we
7 try to pass that along to the folks that we
8 represent. But there is some concern and some
9 negativity towards this idea of marine spatial
10 planning and I would recommend continuing
11 outreach to those stakeholders to try to get
12 them to understand as I do that this is very
13 important and it's in our best interests to
14 participate. So I would recommend that as
15 well.

16 One other concern that I did have
17 after my meeting with BOEMRE before I came
18 down here was the BOEMRE Smart from the Start
19 process that calls for an environmental
20 assessment of these areas that they're
21 considering leasing to offshore developers.
22 The environmental assessment process as I
23 understand it allows the developer to choose
24 the types of studies that are done within that
25 area for the type of activity they're hoping
26 to engage in. And I would offer a suggestion
27 that NOAA might want to push or recommend that
28 fishermen have some sort of an input into the
29 types of studies or maybe the timing of the
30 studies that are done in those areas. It's
31 easy to throw some lobster pots in an area in
32 the middle of the winter when there's no
33 lobsters, put them on a one-day set, haul them
34 up and say oh, there's no lobsters here. But
35 if you have fishermen's input you'd say well
36 throw that pot in that same area in June on a
37 3-day set and it'll be full. So I don't know
38 if you're the person to speak to or how that
39 works but to try to get that input into the
40 environmental assessment, I think it would
41 save a lot of grief on the developers' part
42 and also the fishing community and offer some
43 confidence within the community as we go
44 forward through this important process.
45 Thanks.

46 MR. RAUCH: So, just to respond.
47 Thank you for your comments. And on the
48 BOEMRE issue I can't speak for the Department

1 of Interior or BOEMRE on those issues.
2 However, I do think that on the plus side
3 before the ocean policy they would not have
4 gone through a Smart from the Start program to
5 sort of look at pre-planning these sitings, to
6 try to look at the broader issues. I think
7 that they have had some fits and starts about
8 that. They have -- after they announced it
9 have started to make a broader effort to go to
10 the councils and to get fishermen's input. I
11 think that's been beneficial to take some
12 things off the table.

13 To the extent that you have a
14 comment on how they should craft their NEPA
15 documents you need to make it to them. My
16 hope is that once these regional planning
17 bodies get set up we will cease having these
18 kind of who's starting the process first. You
19 can't complain -- they have to do their
20 actions. The regional planning bodies aren't
21 set up yet. So they needed to do something to
22 go out. It's hard to complain that they're
23 trying to look at broader interests. Once the
24 regional planning process is set up my hope is
25 that that will then overtake the Smart from
26 the Start program and it will be a more
27 unified program and we'll have a bigger voice
28 at the table. But that's not set up yet but
29 hopefully soon.

30 MR. BROOKS: Great. One last
31 question or comment, Rich?

32 MR. RUAIS: Thank you, Sam. I'm
33 one of those folks that Rick refers to, and I
34 appreciated all his comments, that still has
35 a bit of a fuzzy understanding of exactly what
36 this means, marine spatial planning and the
37 implications, a full range of implications
38 that it can have for our commercial and
39 recreational fisheries. But I do take heart
40 in a couple of the comments you made. One of
41 them was that NOAA somewhere in this process
42 has two votes, or two accesses, two points of
43 input, one more than Interior which I take
44 great comfort in knowing right now. But I
45 guess that's where I'll just -- the only
46 question I'll ask today is when it comes down
47 to a point of disagreement on a particular
48 policy or set of plans between, or that's

1 risen to the National Ocean Council level and
2 the principals and deputies there with the co-
3 chairs, what is the final resolution process
4 there and is -- NOAA is fully represented in
5 that process I take it. And how will that
6 work?

7 MR. RAUCH: Well, so like anything
8 in the federal government we all work for the
9 President. So if at the end of the day there
10 is no resolution among the agencies the
11 President will make a decision. What the
12 ocean council does is fully vet that for the
13 presidential decision. They'll make a
14 recommendation if there can be no agreement.
15 We have two seats on that ocean council, the
16 head of NOAA and the Secretary of Commerce.
17 But there's 22 agencies so there's, and
18 there's a number of sort of White House
19 players as well. So there's still a lot of
20 people. It is an opportunity to elevate.

21 Many of our issues with other
22 agencies often aren't disagreements between
23 the Secretary of Commerce and the Secretary of
24 Interior, it's disagreements at a much lower
25 level. And by the time it gets up there the
26 broader interests of the country will prevail.
27 I would be surprised if anything ever went up
28 to presidential resolution. It doesn't
29 generally happen that way but that's,
30 ultimately that's what would happen if there
31 is an intractable disagreement among the
32 agencies.

33 MR. BROOKS: All right, well thank
34 you, Sam, very much for the briefing and the
35 response to the questions here. We are, as
36 you all know, a little bit behind schedule.
37 So we're going to take a 5-minute break and
38 then we will come back to the table and dive
39 into the future of the shark fishery. Dave
40 Kerstetter also had to catch a plane
41 apparently so he asked me to just let you all
42 know that if anyone has any specific questions
43 on any of the information he presented please
44 contact him directly. And obviously if you
45 don't have that contact information I'm sure
46 that we can -- oh Margo says it's in your
47 packets so. But if for whatever reason you
48 can't find it let us know and we'll get that

1 to you. So thank you and we will reconvene in
2 five minutes. Thanks again, Sam.

3 (Whereupon, the foregoing matter
4 went off the record at 10:31 a.m. and went
5 back on the record at 10:42 a.m.)

6 MR. BROOKS: So as folks are
7 finding their seats, for members of the public
8 who are here I'm interested in seeing how many
9 might have public comments to make this
10 morning. Anyone interested in making a public
11 comment? One. Okay, great. Thank you.

12 So we're going to at this point
13 jump into the presentation and overview of the
14 future of the Atlantic shark fisheries. And
15 Karyl Brewster-Geisz will take over in a
16 second. I did want to thank Bill Gerencer for
17 bringing that really tasty smoked salmon that
18 was a nice addition to the breakfast table.
19 So thanks, Bill, for doing that. And with
20 that I'll hand it over to Karyl.

21 MS. BREWSTER-GEISZ: Thanks,
22 Bennett. Good morning, everybody. Somehow it
23 seems to have fallen to me to do really mind-
24 bending presentations at the end of the AP
25 meeting. So I hope you all have grabbed your
26 coffee. For those of you -- unfortunately I
27 don't drink coffee so I'll just hope I make it
28 through.

29 For those of you who don't know me
30 I am Karyl Brewster-Geisz. I want to thank
31 everybody who is here, particularly the
32 fishermen who we have invited from throughout
33 the fishery all over the Atlantic and the
34 Gulf. I'm really appreciative that you have
35 made it this far and come up. So we are here
36 today to talk and continue our discussion
37 about the future of the shark fisheries. Just
38 a quick outline on what we're doing. The
39 biggest thing I want to point out to you is
40 everything that I am going to be talking about
41 now is described more fully in the white paper
42 that goes with this presentation, and we also
43 have examples in the posters out back. So
44 feel free to read through the white paper and
45 engage in the discussion.

46 So starting off, a little
47 background. About a year and a half ago I
48 presented to just the shark portion of the AP

1 sort of the beginning of what we started
2 calling the future of the shark fishery where
3 we discussed a number of ideas and issues in
4 the shark fishery such as the short seasons,
5 the decreasing number of vessels, all of the
6 problems we've had.

7 Last fall we released an advanced
8 notice of proposed rulemaking, or ANPR. We
9 held a number of meetings about that. This
10 was essentially pre-scoping. And we talked
11 about quota structures, permit structures and
12 the possibility of catch shares. We talked
13 about all the comments we received at the last
14 AP meeting. One of the comments we did
15 receive directly from the Gulf of Mexico
16 stakeholders was a catch share proposal. And
17 these fishermen presented it to the advisory
18 panel last spring. All of the comments we
19 received and their proposal are up on a new
20 webpage that we put up last Friday especially
21 for shark-catchers. So there is now a shark-
22 catcher webpage. Please take a look, provide
23 us feedback. We're going to try to update
24 that and include any documents you feel is
25 necessary.

26 Among the comments at the last AP
27 meeting we had general support from all of you
28 to move forward and consider catch shares.
29 Fishermen in particular really wanted to know
30 what that would mean to them, where were their
31 landings. And they didn't want to make a
32 decision on catch shares until they had more
33 information in front of them. We also tried
34 to make it clear that we want to hear from
35 everybody before we go forward with this. We
36 do not want this NMFS making a decision. We
37 want the fishery to come together and make a
38 decision with NMFS on where we're going.

39 Other things that we heard at the
40 AP meeting were that we should go ahead and
41 establish a control date and also that we
42 should consider species-specific -- continue
43 considering species-specific management. And
44 so we did establish a control date. Last
45 Friday when we released our notice of intent
46 to consider implementing a catch share
47 program. So this control date essentially
48 puts fishermen on alert. We're considering

1 this. And this control date is something the
2 agency could use in terms of eligibility
3 criteria for who has a permit and who's
4 eligible to be part of the catch share
5 program. But it's not something we are
6 required to use if the fishermen would prefer
7 we use a different date or range of dates.

8 We do want to request that the
9 fishermen involved do not request your
10 landings history at this time. The permits
11 office has a lot of experience with this from
12 the other catch share programs where they get
13 swamped. They try their best to provide the
14 landings history but depending upon what we
15 end up using for the catch share program what
16 they provide may not be the most appropriate
17 range of landings for you to look at. Because
18 they're not going to be looking at -- they're
19 going to be looking at the same data but
20 they're going to be looking at it differently
21 than we necessarily will be looking at it.
22 Instead, what I'm telling you is that we will
23 be providing to you, to every fisherman, the
24 data we have and how that works out with what
25 we're thinking of for the catch share program
26 at a later date. So if there are any
27 discrepancies in the data there's still time
28 to work through it. And you would be able to
29 see from what we have what that would mean for
30 you in catch shares. So please do not bury
31 the permits office with the landings request
32 right now. We will be providing it to you.

33 This is our first workshop. We
34 will be having a lot more, we just haven't
35 determined exactly where and when yet. At the
36 last AP meeting we did have the request
37 specifically since the stakeholders provided
38 us a proposal from the Gulf of Mexico that
39 when we move forward we meet with the Gulf of
40 Mexico Fishery Management Council. Whenever
41 we move forward with the Fishery Management
42 Plan amendment we do try to meet with all the
43 councils. So we will be meeting with the Gulf
44 of Mexico council if we can get on their
45 agenda along with the other councils. The
46 comment period is very long. It ends March
47 1st, nice round date. Hopefully we can manage
48 to have comments from pretty much everybody by

1 that time.

2 So moving on to the main event,
3 catch shares. This is an umbrella term. It
4 means the Fishery Management Program that
5 provides a portion of the total allowable
6 catch to individuals, cooperative communities
7 or other eligible entities. So this is
8 limited access privilege program which is very
9 specific under Magnuson. But you can also
10 have individual fishing quotas, sector
11 allocations, fishery cooperatives. So there
12 are lots of ways that we could design the
13 catch share program and we want to design it
14 with all of you and for a program that will
15 meet the needs of the shark fishery.

16 I did want to share some of my
17 perspectives from management on this as we
18 consider going forward with catch shares.
19 Right now as a manager we tell you when you
20 can go fishing in terms of range of dates, we
21 tell you how many fish you catch. Tell you
22 all this stuff that affects how you're going
23 to go fishing. Under a catch share program I
24 can see a time when you as a fisherman
25 determine when you're going to go fishing.
26 Are you going to determine that based on
27 personal reasons? Maybe you want to determine
28 when you want to go fishing because the
29 market's good. The fish are in your area.
30 All of these that right now those
31 determinations are not really in your control.
32 We open the date, we close it, you want to get
33 out and go fishing when it's open because you
34 may not have an opportunity if somebody else
35 takes the quota. You would get to decide how
36 long to go fishing. Are you going to go out
37 and take your entire share in one day or one
38 week, are you going to slow it down and maybe
39 just go out and fish for swordfish and keep
40 your share overall throughout the year. It's
41 up to you under a catch share program. Right
42 now it's up to us with a 33 fish trip limit.
43 So I just wanted to make sure it's clear that
44 from my perspective the catch share program
45 means you get to have more of the decisions.
46 It doesn't mean that there are no
47 restrictions. There still would be
48 restrictions in terms of gears, the overall

1 quota, but it means a lot more of it is in
2 your control on how you want to fish.

3 There's a lot that we would need
4 to look at in terms of a catch share program.
5 How the initial shares will be distributed
6 among all the eligible participants and what
7 happens with transferring after that. You
8 have differences between your percentage or
9 your share and the allocation which is the
10 actual amount of fish. So if we implement a
11 catch share program one of you could have a
12 share of 5 percent, another could have a share
13 of 7 percent. Depending upon what the quota
14 is the actual allocation that equals will
15 change.

16 There are a lot of design elements
17 that we need to consider as a group as we move
18 forward. And as we consider these design
19 elements, and I'm going to go through all of
20 them in detail, it's important for you to
21 realize the answer for these design elements
22 and what you want them to be all comes back to
23 what you want the goal of the fishery to be.
24 We can have, if you wanted, an incidental
25 fishery where lots of people have small
26 allocations. Or we could have a directed
27 fishery where there are a very small amount of
28 fishermen who direct on it. It is up to all
29 of us at this table on what that's going to
30 look like and a lot of that has to do with the
31 design elements. So keep that in mind as you
32 go through this.

33 And so the design elements in the
34 previous one that we'll be going through in
35 detail, what region or regions we want to
36 consider, the resource units, so that's the
37 species involved, the initial allocations,
38 eligibility. And then you have things like
39 the duration of the program, transferability,
40 monitoring and data recovery, enforcement.
41 And if we do consider a limited access
42 privilege program, cost recovery.

43 I am going to be providing a lot
44 of examples as we go through these. These are
45 examples. They are not anything that we have
46 put forward saying this is what we want to do.
47 They are just examples to help you frame in
48 your mind what it is we're talking about.

1 So the first question that we
2 really will be getting into the meat of this
3 afternoon is which regions should be included.
4 We had the proposal from the Gulf of Mexico
5 stakeholders that we should be doing a Gulf of
6 Mexico catch share program. Excellent.
7 Should we be doing that just for the Gulf of
8 Mexico? Do we want to include the Atlantic?
9 Do we want to split the Atlantic up between
10 South Atlantic and North Atlantic? And the
11 map I'm showing is where that split between
12 North and South Atlantic were several years
13 ago when we had those regions.

14 Which species should be included
15 in the resource units? Important to note
16 about a resource unit is it does have to be
17 something that has a total allowable catch or
18 TAC. So what we've listed here are all the
19 species, complexes and aggregates that have
20 those TACs. This does not preclude us from
21 considering pulling out a different species or
22 different group and moving forward with
23 different or additional species-specific
24 management.

25 We need to consider the gears. Do
26 we want this to be applicable only to bottom
27 longline? Maybe we want it to be applicable
28 only to gill net. Maybe we want everybody
29 involved.

30 As we consider the resource unit
31 not only do we have to consider species and
32 gears, we need to consider who, who do we want
33 to be involved in the catch share program. Do
34 we want directed permit-holders, incidental
35 permit-holders, recreational angling permit-
36 holders, charter head boat permit-holders and
37 how do we involve the states? This becomes
38 important overall for everybody whether or not
39 they're in the catch share program. Once we
40 have a catch share program we would be taking
41 that TAC, that total allowable catch, and
42 splitting it up between all the different
43 eligible permit-holders and the people who
44 aren't part of the catch share program would
45 also have a certain portion of that TAC. So
46 in this example, and it is only an example, we
47 have the TAC. We did use the non-sand bar
48 large coastal shark base quota and we split

1 that 80 percent going to directed permit-
2 holders of which we assumed about 250 of them
3 and 20 percent going to recreational,
4 incidental and really state permit-holders as
5 well. As an example so you could see if we
6 were to do that shark-directed permit-holders
7 would have 836 metric tons. Everybody else
8 would have 208 metric tons.

9 So when you have those numbers,
10 how do you decide how much everybody gets?
11 There are lots of different ways to do that,
12 splitting it equally, using catch history,
13 using level participation, maybe some
14 combination of those. I think from our
15 perspective what we would like to make sure is
16 that it's administratively straightforward,
17 equitable and transparent. As much as we can.

18 So equal allocation, it's just
19 what it says, all the shares are divided
20 equally among eligible participants. Very
21 equitable, everybody would get the same amount
22 but it means people who have gotten out of the
23 fishery could potentially end up with an
24 allocation and people who have been very
25 active and fishing a lot would get a much
26 smaller allocation than maybe they feel they
27 should have. Also, with these small quotas
28 that we're talking about it's very likely
29 everybody would get a very small allocation
30 and that wouldn't be economically viable. So
31 in the last example, pulling that down, if we
32 did an equal allocation directed permit-
33 holders would get about 3.3 metric tons. If
34 you remember back when we had 4,000 pound trip
35 limits that's less than two trips.
36 Recreational, everybody else, approximately,
37 though they wouldn't necessarily get that
38 allocation, less than a metric ton.

39 We could decide to do the
40 allocation, initial allocation, based on catch
41 history. That's where each individual's share
42 is based on your landings history within a set
43 of qualifying years. So there's a lot to
44 discuss when you talk about using catch
45 history. You need to start talking about what
46 range of years are you going to look at, how
47 are you going to partition out those range of
48 years and what would that mean in terms of

1 level of participation within the fishery.

2 So within this catch history I'm
3 sure you are all very much aware because
4 you've seen my face many times over the years,
5 shark management has changed and changed
6 dramatically, and changed dramatically about
7 every other year or so. There are people in
8 this room who used to be major participants,
9 major active fishermen in the shark fishery
10 who have now gotten out of it. They don't
11 like the current regulations, they can't fish
12 under them and remain economically viable.
13 There are also fishermen in this room who can
14 make what we have right now work and are
15 economically viable and struggling to
16 participate under the current regulations. So
17 we have seen over the years the landings
18 decrease. We've been reducing the quota so
19 that's not a big surprise. We've also seen
20 the number of active vessels decrease over
21 time as a result of the quotas, as a result of
22 the regulations. Number of years of
23 participation, we have a lot of vessels that
24 have participated only two or three years,
25 maybe one year, but we still have a lot of
26 vessels that have participated throughout the
27 whole I'll call it time series although what
28 that time series is open to interpretation.
29 In this case it's 2003 to 2009 on this graph.
30 So it's things, when we start talking about
31 catch history, who do we want to be in the
32 fishery? Do we want the people who are active
33 now? Do we want the historical participants?
34 Do we want the people who have been active
35 over the whole time period?

36 A slightly easier question but
37 gets at it is what qualifying years we should
38 use. Do we want to use 2002 to 2010? 2002
39 would be the time that pretty much limited
40 access was complete. All the appeals, all the
41 litigations, everything was done, everybody
42 had their limited access permit. Do we want
43 to use the more recent years, so 2006 to 2010?
44 Do we want to let everybody choose their best
45 four years over that time period? Or maybe we
46 just want to say if you fished one year you
47 would get this level, if you fished five years
48 you would get this level and work it out that

1 way in a range instead.

2 A big question also is how do you
3 want the landings -- where do you want the
4 landings to stay? Do you want it to stay with
5 the permit-holder, with that vessel owner, or
6 do you want it to stay with the vessel? They
7 can have very different results depending upon
8 the answer. So I'm giving two examples. The
9 first example here is the landings history
10 stays with the vessel owner or the permit. So
11 under A here it's somebody who's been fishing
12 the entire seven years, so all of his landings
13 history or her landings history would go to
14 him or her, 120.1 metric tons. We just made
15 these numbers up. I'm not sure why we didn't
16 use round numbers but we're having fun. Under
17 B it would be somebody who went out and bought
18 a new permit, sold their old permit. So under
19 their new permit that permit had a landings
20 history of 35.7 metric tons. Under their old
21 permit they had 84.4 metric tons. So if the
22 landings history stays with the permit they
23 would get their old landings, the 84.4. And
24 then under C is the new entrant, somebody who
25 just came on, just bought their permit right
26 before that control date. They wouldn't
27 necessarily get anything, it would stay with
28 the old owner.

29 Under the second example the
30 landings stay with the vessel, not with the
31 owner. So under A, once again it's that
32 person who fished continuously with the same
33 vessel. They stay with their 120.1. Under B
34 that person who went off and bought the new
35 vessel, they're stuck with the new vessel's
36 landings, 35.7. And under C, that new
37 entrant, they got a big bonus, didn't they?
38 They suddenly get 120.1 metric tons. So where
39 we decide the landings history stays could
40 have a lot of implications throughout this as
41 well.

42 So that's all looking at catch
43 history and what we want to do with catch
44 history. Another way of putting out the
45 initial allocation would be the level of
46 participation. So this would be distributing
47 shares based on an individual's level of
48 participation in the fishery. So whether they

1 had a lot of activity or just a little bit of
2 activity, and this could be looking at their
3 landings per year, trips per year, or years
4 fishing.

5 So we worked through the numbers
6 under these numbers of low-level participation
7 fishing in three or fewer years and high level
8 of five or more years. And actually these
9 numbers under high, medium and low, the 62, 62
10 and 122, those are actual numbers from the
11 databases looking at these levels of
12 participation. So if you wanted to have some
13 idea we did provide you that. The 70 percent,
14 20 and 10 percent would be more of an example.

15 So taking a quota level of 677.8,
16 if we split that among high participants
17 assuming they each get, well, split it 70
18 percent going to the high participants, they
19 each get an equal amount of that. Each
20 participant, each high-activity person would
21 get 7.7 metric tons whereas the low
22 participants, low-level participants would get
23 0.6 metric tons.

24 We could use a combination of any
25 of the above examples to come up with the
26 initial allocations. So in this example
27 pulling together catch history and equal
28 allocation. And even among this there are
29 different ways to go about it. I spent over
30 an hour with people talking about how to
31 distribute it equally among the three groups.
32 And we decided for this example to do it
33 equally to the three groups. Another way
34 could be equally to all of the permit-holders.
35 But it does change the numbers somewhat if you
36 consider the catch history and then an equal
37 going through it.

38 There are other things on top of
39 all of that to think about and consider. I'm
40 not going to go through any of these in detail
41 but they do exist and we do need to have the
42 discussions on them at some point. And that
43 would be how long the catch shares should go
44 on. Do we want to set up a sunset clause
45 where after a certain number of years if it's
46 not working we go back to what we have now?
47 Something to think about. How the allocations
48 would be transferred. Do we want to limit

1 transferability in the first couple of years
2 which has been done in some programs? Do we
3 want to have it open to transfer to anybody?
4 Monitoring and data recovery. In some of the
5 more successful programs there's been a lot of
6 monitoring and data recovery, log books, VMS,
7 certain time requirements on when you can and
8 can't go into port and offload. Who you can
9 offload to. All of those need to be taken
10 into consideration. That also has to do with
11 enforcement as well. And cost recovery. We
12 go with a limited access privilege program.
13 We need to consider cost recovery.

14 So besides the workshop this
15 afternoon what does that mean? We are
16 currently in scoping. We're going to be
17 holding a lot of the workshops this fall and
18 winter. We hope to have a pre-draft out to
19 this advisory panel next spring. I think a
20 lot of that depends upon what happens at the
21 scoping meetings. We may decide we need more
22 of them, we may decide we can move forward
23 with a pre-draft because we have good feedback
24 from everybody. And then going from there we
25 really don't know how long it will take us.
26 So we will have to do a proposed and final
27 rule.

28 These are some of the specific
29 questions I asked in the presentation. And
30 then if you have any thoughts you can talk to
31 anybody on my team. And also please check out
32 our new catch share webpage. And that's it.

33 MR. BROOKS: Great, thank you so
34 much, Karyl. So the questions that were just
35 back up at the previous slide, those will be
36 the focus for our discussion this afternoon at
37 the workshop and whatever other workshops
38 follow on this issue. So what I'd like to do
39 right now is create a little time for
40 clarifying questions just to make sure that
41 people understand the material that Karyl just
42 walked through. Again we'll have time this
43 afternoon for folks who will be at the
44 workshop to delve deeper into this so let me
45 just for this first round focus any clarifying
46 questions from AP members who will not be here
47 this afternoon who want to make sure you're
48 fully understanding this before we break at

1 noon. So again, any AP members who will not
2 be here this afternoon who have clarifying
3 questions. Okay. Any clarifying questions --
4 oh, sorry. Gerry.

5 MR. LEAPE: You can stop me if
6 this is a comment but it's more through our
7 experience working on catch share programs in
8 general, just some cautions and concerns from
9 our perspective. I think this is obviously
10 part of a broader initiative and interest from
11 the Administration and pushing catch shares as
12 more of a management tool than they've been
13 used previously. And I think the concerns,
14 you mentioned that it's important to do what's
15 best for the shark fisheries. And I would say
16 in addition to that it's also important to
17 remember we need to do what's best for the
18 sharks as well and that there are a couple of
19 factors. One, the whole question of new
20 entrants, that will be whether -- regardless
21 of how, the feedback you get on the allocation
22 that has been an issue throughout a number of
23 the IFQ programs and catch share programs that
24 we've engaged in. There's also buy-in on the
25 science. You know, do the shark fishermen, do
26 they support the science that's being used to
27 determine the quotas that are currently in
28 existence. And if they don't, then you need
29 then the allocation -- if you go forward with
30 this the time allocation you have for these
31 catch shares will be critical because the
32 longer it is the harder it is to make changes
33 if the science dictates you should make the
34 changes. And so that's another caution.

35 And then the final caution is
36 enforcement. And part of -- these are all
37 sort of tied together which is if you need a
38 really strict accountability system to ensure
39 that the quotas you set will be adhered to,
40 that you're not suffering from some of the
41 overages problems that we have in not just
42 shark fisheries, but other fisheries around.
43 So if you can -- you need to address those
44 first because from our perspective catch
45 shares can be used as an allocation tool but
46 they will not bring on the management needs
47 that you need to successfully and sustainably
48 manage a fishery. Thanks.

1 MR. BROOKS: Thank you. Karyl,
2 was there anything you wanted to respond?
3 Okay. So again, at this point I think that
4 was sort of straddling that. No, that's fine
5 because we didn't have any other clarifying
6 questions. So again, for -- what I'd like to
7 do is ask for AP members who won't be here
8 this afternoon who want to fold in any
9 comments just so we all have the benefit of
10 your thinking before we move forward.
11 Elizabeth.

12 MS. GRIFFIN-WILSON: I'm actually
13 going to be here this afternoon but it's sort
14 of a broader clarifying question than just
15 catch shares. I feel like we've had a lot of,
16 this body has had a lot of really good
17 conversations over the past two years about
18 the future of the shark fishery, and that it
19 was a great that a proposal came forward from
20 the Gulf of Mexico. But I feel like we very
21 quickly went from a broad suite of things that
22 would cover the entire range of the shark
23 fishery to a pretty detailed proposal that
24 looks like it's largely focused on the Gulf
25 and I worry about some of those other ideas
26 falling off the table. So I'm curious if in
27 the end the group decides catch shares is not
28 a way to go, or NMFS decides catch shares is
29 not a good way to go would Amendment 6
30 disappear or is Amendment 6 -- I'm curious if
31 Amendment 6 is really about the future of the
32 fishery or if it's really about catch shares,
33 and whether there's any opportunity to include
34 some other items in Amendment 6.

35 MS. BREWSTER-GEISZ: There are
36 always opportunities to include other things
37 besides just the catch shares. I think we are
38 trying to limit Amendment 6 to really the
39 future of the fishery and the overall
40 structure of the fishery. So we wouldn't be
41 considering quota changes in Amendment 6
42 unless of course we were to go forward for
43 more species-specific and were changing the
44 complexes in some fundamental way that we
45 would need to include that in Amendment 6.
46 Does that answer your question?

47 MR. BROOKS: Steve.

48 MR. JAMES: I didn't have a

1 clarifying question so I put my card back
2 down. Is this clarifying or? Okay. I just,
3 real quickly, I'm going to be catching a plane
4 shortly myself so I would just simply say that
5 in New England us recreational shark fishermen
6 actually want no part of the catch share
7 program. It induces all kinds of
8 complications from enforcement. I couldn't
9 imagine the individual trying to take his fish
10 over and get a dry metric weight tonnage on
11 his fish and so that we can calculate that and
12 roll that in on an individual basis or even as
13 a sector if you will. I think it induces a
14 lot of complication and I would simply just
15 say that we in New England would pass on the
16 catch share program. Thank you.

17 MR. BROOKS: Thanks, Steve. Mark,
18 you will not be here this afternoon, is that
19 right? Okay, please.

20 MR. TWINAM: Mark Twinam from
21 Florida. Just on the Atlantic and Gulf, the
22 two regions, right now you can fish between
23 them all. And should the Gulf have catch
24 shares how does that work between the two
25 regions? It seems like you'd have to be
26 limited to one region.

27 MS. BREWSTER-GEISZ: That's part
28 of the discussion we want to have this
29 afternoon. That's some of what we ran into
30 almost immediately on thinking of a catch
31 share program for the Gulf would be does that
32 mean -- and how do we tell where the landings
33 for somebody came from. Or would we consider
34 only landings from fishermen and when they
35 landed it in the Gulf or the Atlantic. And it
36 raises up other aspects when you start
37 considering putting catch shares in place for
38 just one region of the fishery.

39 MR. BROOKS: Again, wanting to
40 focus this on folks who won't be here this
41 afternoon. Rusty, I'm assuming you're here
42 this afternoon, right? Okay. Go ahead.

43 MR. HUDSON: Rusty Hudson,
44 director of Sustainable Fisheries. Small
45 coastal sharks, I didn't see that folded in.

46 MS. BREWSTER-GEISZ: Yes, they
47 were in under the species for us to consider
48 what species.

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MR. HUDSON: The weight.

MS. BREWSTER-GEISZ: The weight?

MR. HUDSON: Yes, the weight, the metric tons. Was that folded in? You have large coastal metric tons.

MS. BREWSTER-GEISZ: All the numbers are pretty much examples, so just because we didn't use the small coastal numbers doesn't mean we wouldn't consider small coastals.

MR. BROOKS: Rick. Scott.

MR. TAYLOR: Mine's just more of a cautionary comment along the lines that while absolutely something has got to be done for the core group of guys that are making their living shark-fishing that are having an increasingly difficult time in doing it, particularly down in the south Florida area because of the time closure. I was specifically asked by some of the fishermen in the southern area that have not really had the access to essentially fish in a way that is commercially productive for them, they're unwilling to travel, that while their permits may not be active it is going to be a challenge to find the balance between addressing the concerns of the fishermen that are pursuing it on an ongoing basis and the ones that for whatever reason may not be quite as active right now today. And the concern that I have or some of the concerns that came out of particularly the grouper program on the West Coast with their IFQ shares where a select group of individuals essentially wound up with the majority of the shares and in a lot of ways have precluded young, less financially competent individuals from accessing. Having said that I'm extremely sensitive to this core group of guys out there that are having a tough time being able to make a living. And I think that that's really going to be your challenge in trying to balance that from an equitable standpoint.

MR. BROOKS: Thanks, Scott. Rom.

MR. WHITAKER: Yes. First thing, I had a question. I know you had a certain amount of permits in there, 250 I think it was, but if you go back 10 years for

1 eligibility does that number stay the same or
2 would that include many more permits?

3 MS. BREWSTER-GEISZ: It could
4 potentially include more permits. We have had
5 a drop in the number of permits. But it
6 could, we could go back and re-look at those
7 if we wanted to. It wouldn't go -- unless you
8 wanted, the group wanted to go back past the
9 time of limited access where we had 2,400. I
10 don't think it would go much more than the
11 250.

12 MR. WHITAKER: Okay. You know, I
13 guess my point is if you had to make that
14 number larger then that share obviously is
15 going to go down even more. My comments, and
16 I do leave at lunch, was I do agree with
17 Steven on the recreational side. I think our
18 area would be very opposed to catch shares for
19 the same reasons, logistics, you know, trying
20 to figure out how much 0.5 you know whatever
21 it would work out to be. As far as the
22 commercial end of it I think that catch shares
23 would industrialize the fishery. I think it
24 would make it much harder for the small-time
25 guy to make it. He's struggling now just
26 trying to survive. And I definitely think it
27 completely eliminates, and I have a couple of
28 boys and God forbid they get into the fishing
29 industry. But anyway, if they did I don't
30 know how they would ever, you know, with
31 buying a boat and all the other things that go
32 with it, the gear, then you have to go out and
33 buy shares, it just seems like it eliminates
34 any new entrants. Thank you.

35 MR. BROOKS: Thanks, Rom. Karyl?

36 MS. BREWSTER-GEISZ: I agree that
37 depending upon how you form the catch share
38 program there can be difficulty for new
39 entrants but there are also catch share
40 programs that have been designed to facilitate
41 new entrants depending upon how you design it,
42 where sometimes a group sets aside a certain
43 amount of shares and as crew members and stuff
44 move up and want to become part of the fishery
45 the fishermen in the catch share program work
46 on that and get them the shares that they
47 need.

48 MR. BROOKS: Bob.

1 DR. HUETER: Yes, just a quick
2 clarifying question to the issue about the
3 areas, Gulf versus Atlantic and so on. Would
4 the zonation that's shown on slide 10 with
5 these boundaries, is that the only geographic
6 option or will there be an option perhaps to
7 develop a different kind of zonation depending
8 upon the program that evolves? In other
9 words, are our options only with those three
10 areas as those lines are set, or is there
11 flexibility to look at new kinds of
12 boundaries?

13 MS. BREWSTER-GEISZ: From my
14 standpoint there's flexibility to look at any
15 boundary you want. We were just using this as
16 an example of what we've used in the past.

17 MR. BROOKS: Scott, is your card
18 up from before? No worries. Okay, so at this
19 point I think we, it sounds like we've -- oh,
20 pardon me. Rick.

21 MR. BELLAVANCE: Just real quick.
22 I'm bailing out at lunch as well. Just to
23 kind of what Steve said a little bit. I don't
24 think the entire recreational community is
25 against catch shares in New England. I think
26 the national catch shares policy speaks to
27 private anglers and how that would not be
28 appropriate to operate under a catch shares
29 management system. But it does provide
30 guidance for the for-hire industry and I think
31 there is room to explore the possibility of a
32 catch share program within the for-hire
33 industry on a multitude of different species.
34 And in regards to new entrants, some of the
35 programs that are operating in New England are
36 very successful at introducing new entrants
37 into the program. As stocks rebuild, as quota
38 goes up fishermen are finding that they can
39 take that additional quota that they're given
40 and offer it to new entrants and it's working
41 pretty successfully in New England. So just
42 a little difference of opinion there.

43 MR. BROOKS: Dewey.

44 MR. HEMILRIGHT: What stocks were
45 they in New England with the catch shares that
46 are working great and stuff? Could you tell
47 us that?

48 MR. BELLAVANCE: There's a summer

1 flounder fishery that's operated under a catch
2 share program and as the stock has rebuilt the
3 quotas have gone up and that particular pilot
4 program has introduced three new participants
5 within the industry that didn't have any
6 quota. The fishermen that were originally
7 involved in the program received additional
8 quota as the overall TAC was increased and
9 they turned that quota over to new
10 participants so that they could start a
11 fishery that they weren't involved in the
12 beginning.

13 MR. BROOKS: Bill, you have some
14 insights into this you want to share?

15 MR. GERENCER: My observations in
16 New England on the catch share program are
17 mixed. I think that there was a lot of
18 support and a lot of opposition to start. And
19 from my point of view a lot of the guys who
20 were against it are doing really well and now
21 kind of like it, and a fair amount of the guys
22 who supported it aren't doing so well and hate
23 it. And basically you know we all know that
24 it's privatizing the commons and by taking
25 ownership the theory is that we're going to
26 manage it better because you've only got so
27 much fish to catch. And we were promised
28 better science out of that. Still waiting for
29 that because in my opinion that's the driving
30 factor for good fisheries management is
31 science. But it has hurt some guys and it's
32 helped some people. Generally, and there's a
33 report that National Fishery Service just put
34 out. It turns out that the boats that are a
35 little more strongly capitalized or companies
36 seem to be doing better and the smaller
37 entities seem to be doing worse. And I think
38 that's a natural consequence of turning the
39 ability to fish into a commodity that has
40 value. And again, we've only been at it for
41 a year so all the results aren't in. The
42 people who really pushed it, a lot of them
43 hate it now. The people who were suspicious
44 of it, some of the larger entities, are doing
45 quite well. And there you have it.

46 MR. BROOKS: Thanks, Bill. I
47 think Carolyn wanted to jump in.

48 MS. BELCHER: I just had a quick

1 question for the group because I'm trying to
2 wrap my head around a catch share program
3 that's worked for a multi-species fishery.
4 Most people who are talking about them are
5 talking about them relative to a single
6 species. So in the essence of the sharks when
7 you're talking about 39 different species and
8 not really knowing how you're planning to
9 manage all 39 individual species or species
10 complex or an aggregate. I mean, is there
11 anybody who knows of one that talks about it
12 as a multi-species that it's worked?

13 MR. GERENCER: Again, the results
14 are mixed but New England is 13 species, 19
15 stocks that are falling under catch shares.
16 And it's complicated and it requires some of
17 the sectors, they broke everybody up into
18 sectors and they, you know, boat A, B, C, D
19 and E took their quota to a sector and then
20 the next five or six boats made another sector
21 and so on. Some sectors have a lot of one
22 species and less of another and so a lot of
23 trading goes back and forth. And then there's
24 some other funny things, political things that
25 go on where certain sectors won't sell to
26 other ones and you know, or you have a group
27 of sectors all sign a pledge to give first
28 refusal for any stuff that they want to sell
29 within their own little subgroup of sectors
30 and so some get left out. And that's what's
31 hurt some of the smaller boats is they may
32 have different species to catch but if they
33 run out of one species, a choke stock, then
34 the rest of them are no good to them.

35 So one of the things you'll find
36 in the report that National Fishery Service
37 just put out is that our harvests have gone
38 down and we've under-harvested and left a lot
39 of fish in the water. Now from a long-term
40 perspective that's a good thing but even the
41 target value that we were trying to attain was
42 a pretty conservative catch limit for all the
43 species and we've under-harvested that so in
44 a way it's not performing up to snuff. So
45 that's the main problem you're going to run
46 into.

47 MR. BROOKS: Thanks. Thanks. No,
48 go ahead.

1 MS. BELCHER: Just thinking about
2 that relative to, and I'm looking at David
3 thinking about our snapper grouper fishery.
4 I mean, the nightmare that that would open up
5 for us is just scary beyond all belief. So I
6 just was curious if there was one that worked
7 for multi-species because everybody kept
8 talking single species.

9 MR. BROOKS: All right. We'll
10 take two last comments here and then defer the
11 rest of this discussion to this afternoon. So
12 I see Rusty and then I think Scott, your
13 card's back up.

14 MR. HUDSON: Rusty Hudson. Karyl,
15 the 80/20, was that just kind of a ballpark
16 grounding or was there something substantive
17 to that?

18 MS. BREWSTER-GEISZ: It wasn't
19 even a ballpark, it was just throw down some
20 numbers.

21 MR. HUDSON: Okay. As a further
22 add-in on that, the incidental of course would
23 have been a little bit changed since the
24 closure of like Florida for the Pelagic
25 longline where they used to get a lot of large
26 coastals down that way. I would assume that
27 you could break out the incidental from the
28 recreational so we could see recreational
29 stand-alone. And then later on next year
30 we've got MRIP replacing MRFS. That could
31 affect those numbers from '04 forward.

32 MS. BREWSTER-GEISZ: Yes.

33 MR. BROOKS: Scott.

34 MR. TAYLOR: I'd also like to
35 just, you know, elaborate a little bit on what
36 Bill was saying about the potential that
37 ultimately is what resulted in the Gulf in
38 which you had a cumulation of shares by a
39 result of the corporations being much better
40 able to manage the fisheries by result of the
41 resources that are available to them as
42 opposed to the individual fishermen. And so
43 depending on, and I've had fishermen echo this
44 to me, where a corporation will accumulate
45 multiple permits and is in some ways much
46 better to equip and the very thing that you're
47 trying to do from a management standpoint in
48 being able to equitably spread the share

1 across the individuals that really need the
2 help ultimately is not the outcome that you
3 wind up with because of all of the other
4 various marketing and operational factors. I
5 think it's a valid area of concern that a
6 couple of people have raised to me and I think
7 that, again, it's -- everything is how you
8 structure it, that is ultimately going to --
9 whether or not the end meets, you know, the
10 goal essentially. Because there were, there
11 are systemic problems with what happened in
12 the Gulf. I think that you'll get a consensus
13 about that and how the shares ultimately
14 accumulated and the way they're being fished.

15 MR. BROOKS: Thanks. And Bob, I
16 guess you're getting the final, final word.

17 DR. HUETER: I just want to say
18 that the great advantage of not being the
19 first person to do something is you can learn
20 from previous mistakes and fix them.

21 MR. BROOKS: Okay. So let's wrap
22 this up for now. Obviously there's a lot more
23 to talk about and that's why we have the whole
24 afternoon to talk about it. Just to remind
25 folks for this afternoon what we'll be doing,
26 we know we're losing a number of the AP
27 members, the fishermen who have been invited
28 by the agency and will join the table and then
29 we'll have one integrated conversation here.
30 So at this point what I'd like to do is just
31 see what public comment we have and after that
32 we'll go into the meeting summary. And then
33 we'll adjourn and hopefully get you out of
34 here a few minutes early so folks have a
35 decent time for lunch. So I know we had at
36 least one public comment. Okay, so yes,
37 please. Step forward to the table so we can
38 get you on a microphone. There's a seat right
39 next to Mark over here where you could -- yes,
40 right there. Thanks. Just state your name
41 and organization.

42 MS. MILLER: Hi, my name is
43 KerriLynn Miller and I'm from the Pew
44 Environment Group Shark Conservation Campaign.
45 I thank you for allowing us the opportunity to
46 provide comments. We would like to express
47 our concern for the global decline of shark
48 populations and the need for NMFS to provide

1 further protection for a number of threatened
2 shark species. We are dissatisfied with how
3 NMFS implemented the 2010 ICCAT shark
4 recommendations. We believe that NMFS should
5 have prohibited the catch of oceanic whitetip
6 and hammerheads throughout all their
7 fisheries.

8 We are encouraged to see NMFS
9 recognizes the need to take action on
10 scalloped hammerhead sharks under Amendment 5
11 but we hope you will take the necessary
12 actions to conserve this species by listing it
13 on the prohibited list. This is a species the
14 U.S. submitted a proposal for Appendix 2
15 listing for CITES in 2010. ICCAT prohibited
16 the retention of hammerhead sharks including
17 scalloped, smooth and great hammerheads within
18 its fisheries in 2010. In April NMFS declared
19 scalloped hammerheads over-fished with over-
20 fishing occurring. NMFS had an opportunity to
21 prohibit the catch of hammerheads in all
22 Atlantic fisheries but they limited the scope
23 to include only the Pelagic longline fishery
24 and some recreational fisheries, allowing the
25 targeted fisheries to continue. We urge you
26 to add the scalloped hammerhead along with the
27 lookalike species smooth and great hammerheads
28 to the prohibited list.

29 In addition to the scalloped
30 hammerhead we are concerned with the future of
31 the shark fishery and the proposed direction
32 it is headed. A number of threatened shark
33 species should also be added to the prohibited
34 list. Specifically we would like to see
35 oceanic whitetip, porbeagle and lemon sharks
36 prohibited. Since international action
37 through ICCAT has not occurred the U.S. has an
38 obligation to prevent over-fishing of the
39 shortfin mako unless it implements stronger
40 management measures to this species in its own
41 waters.

42 Additionally, in relation to the
43 discussion related to catch shares as a
44 potential management strategy we would like to
45 note that this allocation strategy for shark
46 species may present difficulties, especially
47 for species that are highly migratory and
48 require international enforcement of agreed

1 scientifically based quotas to ensure
2 sustainable population levels are maintained.
3 In the interest of time, should anyone wish to
4 discuss this further or receive additional
5 information on this topic I would be more than
6 willing to do so. Thank you for your
7 consideration.

8 MR. BROOKS: Thank you very much.
9 Please.

10 MS. REGNERY: Hi, thank you. My
11 name is Rebecca Regnery. I am the deputy
12 director of wildlife for Human Society
13 International and I'm going to keep this short
14 because I'm repeating some of the things that
15 my colleagues have said.

16 Humane Society International and
17 the Humane Society of the United States
18 appreciate this opportunity to provide
19 comments. We join Shark Advocates
20 International, Oceana, the Pew Environment
21 Group and others in urging stronger support
22 for vulnerable species. As stated in a letter
23 we submitted during the comment period on
24 implementing 2010 ICCAT recommendations Humane
25 Society believes shark management is more
26 effective when it addresses shark species
27 individually rather than lumping them into
28 broad complexes such as large coastal sharks.
29 That consists of species with various
30 conservation concerns which we believe has
31 allowed species to further decline.

32 We echo the concerns already
33 expressed by others that the prohibition of
34 fishing for these species should be expanded
35 to cover all fisheries, including all
36 tournament and recreational shark fishing.
37 The Humane Society also joins others who have
38 noted that additional species of shark meet
39 the criteria and should be included on the
40 prohibited species list, including porbeagle,
41 oceana, whitetip and the three large
42 hammerheads. This is a necessary first step
43 to addressing the depletion of these
44 populations and should be implemented along
45 with measures to reduce catch and mortality of
46 these species, including time/area closures
47 and shorter soak times for example. Humane
48 Society International also joins Oceana in

1 stressing that in addition to ensuring that
2 vulnerable shark populations are protected all
3 management measures must also include measures
4 to limit the bycatch of sea turtles and marine
5 mammals, and I'll submit these comments in
6 writing as well. Thank you.

7 MR. BROOKS: Thank you very much.
8 Any other public comment at this time? Okay,
9 well thank you both and Margo, I think it's
10 handing it off to you for the meeting summary.

11 MS. SCHULZE-HAUGEN: All right.
12 So this is something that we've been doing for
13 several meetings running and it's sometimes
14 both amusing and interesting for me to give
15 this presentation because I haven't seen it
16 yet. So I'm seeing it for the first time.
17 And this is our attempt to do a high-level
18 takeaway. And again it's not designed to be
19 the transcript but we do welcome if there are
20 large issues, major points that we've missed
21 please let us know and we will be sending out
22 the full transcripts, all of the meeting
23 materials including things that were presented
24 but not necessarily provided in handouts. All
25 of that will be posted to the web probably
26 next week at the latest. And so we'll also
27 send out this summary if there are any
28 modifications to you all so you have it as
29 well.

30 So things on the actions that we
31 have. We're in final rulemaking right now,
32 had updates only for VMS again, expecting the
33 final rule to publish this fall. Consider the
34 use of the VMS units for reporting landings
35 and discards for both. And also look at
36 alternative monitoring strategies, videos,
37 virtual observers. There are a lot of
38 suggestions for the use of new technologies,
39 emerging technologies for monitoring. On
40 eDealer that we should implement electronic
41 reporting. It's a step in the right
42 direction. And also to continue consideration
43 of data collection through the territorial
44 trip ticket reports in the Caribbean is a
45 valid concern that we'll continue to look at.
46 And again we are continuing in this effort to
47 try and reduce any duplication, work with
48 other systems to the extent that we can that

1 our needs are met as well.

2 For weak hooks, again this was a
3 very preliminary information that we shared.
4 We will continue to look in depth at the
5 results on all the bycatch as well as the
6 target species, the elephant swordfish,
7 bluefin, white marlin, round scale, spearfish.
8 I mean we're at the very beginning of the
9 implementation and I expect that we will
10 continue to pay very close attention as the
11 data comes in as well as monitoring the number
12 of straightened hooks.

13 For recreational fisheries the HMS
14 Fishery Action Plan as well as all of them,
15 the national plans, should be released in
16 October. We heard the MRIP pilot updates are
17 continuing and re-estimation will likely be
18 early 2012. And then the process of the large
19 Pelagic survey redesign or re-estimation
20 likely within 2012 is what I heard. We'll
21 certainly keep you posted as that progresses.
22 And then the pilot program with Massachusetts
23 on a census. Again, we're hoping that we'll
24 have some deployment again in 2012. So a lot
25 happening on the recreational front in the
26 next year.

27 For bluefin tuna, suggestions for
28 Pelagic longline incidental issues. Consider
29 hard caps, potentially regionally rather than
30 coast-wide. To reduce discards in the Gulf of
31 Mexico consider changes to target catch
32 requirements. Require retention of all dead
33 bluefin tuna above the ICCAT minimum size but
34 potentially do not allow economic incentive
35 beyond current retention limits. Potentially
36 allow the dealers to handle them with proceeds
37 going to a research set-aside or funding an
38 observer program as a way of increasing the
39 science. Look at modifying the target catch
40 requirement tiers, a specific comment for that
41 third tier of 30,000 pounds, potentially
42 dropping that to what many of the vessels now
43 have the capability to meet. Consider
44 employing a suite of measures rather than just
45 one. Including non-regulatory industry-driven
46 solutions. Look at modifying time/area
47 closures. Specific suggestions, adding parts
48 of Georgia's bank, modify/extend northeastern

1 U.S., and I would fold in Dr. Kerstetter's
2 research as another potential consideration
3 for modification, and increase and expand
4 observer coverage.

5 Specific to angling category,
6 suggestions include for 2012 look at
7 implementing a prohibition on small bluefin
8 effective January 1. So it's the same, I
9 think the June to June idea, so it's the same
10 everywhere until we have the data. Allow
11 retention of small/medium both south and north
12 seasonally potentially. Look at recalculating
13 the percentages, allocation for the
14 north/south line and potentially divide the
15 angling category into more regions. Some
16 other suggestions, look at the mortality rate
17 of live release bluefins and the post-release
18 mortality discussion. Look at options for
19 purse seine quota reallocation or potential
20 sale. Look at all of the allocations again,
21 do or do not depending on who we heard from.
22 And then look to ICCAT for potential
23 renegotiations of some of the measures,
24 specifically the carryforward. Other idea
25 just to mention was also the category name
26 change to include the term "artisanal."

27 For Enforcement, pursue the
28 illegal sales of swordfish in south Florida.
29 This remains I think a high priority for you
30 all. I will take another run at it in terms
31 of getting it on Enforcement's priority list.
32 I think as changes work through the
33 Enforcement arena I think there will be some
34 opportunities and I will also look to getting
35 the new director here at the next meeting if
36 at all possible.

37 For Amendment 5, scoping
38 suggestions. Keep the sandbar research
39 fishery. Increase the transparency with the
40 research fishery and the reports coming out of
41 that. We could look into providing more of
42 those. Observe disconnect between science and
43 fishermen's observations. Consider more
44 fishermen involvement in SEDAR. The SEDAR
45 pool nomination that's coming out is an
46 excellent way for folks to get more involved
47 in that so I would encourage you to consider
48 that. Acknowledge whether the SEDAR

1 assessments are an improvement over the
2 previous process and a request to do scalloped
3 hammerhead through the SEDAR process. And
4 also need to better understand reasons for
5 dusky shark over-fishing and looking at where
6 and when some of the dusky and black nose
7 catches are coming in.

8 Look at more research on the
9 effects of circle hooks in shark fisheries,
10 looking at soak time as impacting survival.
11 Consider prohibiting hammerheads in all
12 fisheries' time/area closures. On the flip
13 side of that I guess would be not increasing
14 regulatory dead discards but looking at hard
15 caps for bycatch. Separating out black nose
16 from non-black nose quotas and making sure
17 that we present similar information on ACLs,
18 ABCs that the councils get. I think we can
19 provide some more of that information although
20 the process is a little bit different. We can
21 walk you through some of that more. And work
22 on bilateral talks specifically with Mexico on
23 shark catches and some illegal shark catches.

24 For the swordfish general category
25 or commercial hand gear concept, interest in
26 pursuing this permit. A fairly clear comment
27 coming in not to link it to the bluefin
28 general category but have a separate permit.
29 Continuing concerns about Florida straits, the
30 amount of effort, particularly in a nursery
31 area. Concern about overcapitalization and
32 where it could go. Looking at a sunset
33 provision as a way of ensuring that it's not
34 unlimited but has a built-in review. Also
35 support for open access. There was a
36 suggestion for lottery or eligibility
37 requirements again, some of the concerns about
38 how much that might expand. And then
39 obviously I think we didn't get through just
40 thinking off the top. We had some of the
41 research getting research out and then the
42 funding, looking to input on that.

43 MR. BROOKS: I think there were
44 several comments around increased flexibility
45 around sampling. It was a big piece that came
46 out in the research discussion this morning.

47 MS. SCHULZE-HAUGEN: Sorry. Maybe
48 some more there. Looking ahead, ICCAT season

1 is about to kick in in full swing. ICCAT
2 Advisory Committee, the annual meeting is
3 coming up. Looking for proposed rules on
4 shark specs. This is the same slide I think
5 as we saw before. The Shark Conservation Act,
6 smooth-hound issues, Amendment 4. Final
7 rules, VMS and eDealer. Scoping meetings
8 particularly going to councils as well as the
9 major areas for the future of the shark
10 fishery and Amendment 5. Electronic dealer
11 reporting requirements will be coming online.
12 And then the request for nominations again for
13 this panel, SEDAR pool, and something else, I
14 forget.

15 And then a typically planning, you
16 typically have a meeting in the spring. If
17 there are any particular dates that you know
18 of that would be a conflict the sooner we know
19 the better. Council schedules are out so you
20 know, we typically try and find a week when
21 there's not at least an Atlantic Council
22 meeting. That's often the same weeks that
23 other meetings try and get held so we can
24 overlap. So if you do know of something, you
25 know, let me know and we can try and work
26 around that. It's not always possible but we
27 can try.

28 Please get your travel forms and
29 receipts in. I see Othel has asked for
30 September 29th. Particularly as budgets get
31 tighter when authorizations are made money is
32 committed and so if we end up not spending all
33 of that it means that we have less of that
34 money available for other travel. So getting
35 those receipts in quickly can help everybody
36 get all of everything done. If you don't have
37 the forms I think I have them at the back.
38 And so thank you.

39 In conclusion, I thought this was
40 a very good meeting, I thought we had some
41 excellent discussions. I think we've got as
42 always a lot to think about and a lot to do
43 before we'll see you again. But I don't doubt
44 that a lot of the input that you gave us will
45 really help us shape and guide where we go,
46 how we go about it. And so I'm always
47 available, phone, email, please don't hesitate
48 to call. And I hope you have a safe trip home

1 for those of you that are leaving. So thank
2 you.

3 MR. BROOKS: Margo, it looks like
4 we have a couple of people who maybe wanted to
5 offer a comment on that. Do we have a couple
6 of minutes to take for that? All right. So
7 I've got Gerry, then Scott, then Rusty and
8 then over to Mark. So Gerry.

9 MR. LEAPE: Three quick things
10 under the bluefin tuna longline themes. One
11 was there was mention of closure of long-
12 lining in the Gulf but complimenting that with
13 sort of an extra push on transitioning to
14 alternative gears, including green sticks and
15 buoy gear. And then the other piece was there
16 was some mention around mandatory retention of
17 dead discards and I missed that up there if it
18 was there. Thanks.

19 MR. BROOKS: Thanks. Scott. Just
20 a leftover card. We're always happy to accept
21 those. Rusty.

22 MR. HUDSON: Rusty Hudson. I've
23 got just a couple of thoughts. On the spring
24 dates you're also considering Atlantic States
25 Marine Fisheries Commission so we don't have
26 any overlap there. But one of the overlaps
27 that was going to occur this week hopefully we
28 can sort of look out for is like data
29 workshops and assessment workshops for the
30 SEDAR process. There's not many of them in a
31 year but you know, that overlap hurts a little
32 bit.

33 The other item, and I talked to
34 Randy about this, I didn't know until Randy
35 walked me through when we click on the
36 advisory panel and I don't know if you're able
37 to go live to your home page or not. But when
38 we click on the advisory panel portion of the
39 home page and I'd like just to walk her
40 through the three steps. I think it's
41 educational for all of us since I just learned
42 this. What I was asking Randy about the last
43 two days is what we do on a council level is
44 a briefing book approach. We, two weeks
45 before the meeting we have a first opening of
46 the briefing book and that briefing book of
47 course gives us hyperlinks that are active
48 that we can see what's there but some of them

1 aren't. Then we have a week later a second
2 opening of the briefing book. So the whole
3 goal is that with your advisory panel scenario
4 here you click it and it takes you to that
5 page and then you are able to click on the
6 Highly Migratory Species Advisory Panel.
7 You've got the two choices, SEDAR and that.
8 So when we click on that, scrolling down, and
9 this I just learned, we can click on like 2011
10 Advisory Panel Meetings which then opens up
11 like last April's meeting and you have all of
12 your presentations are active then. But if
13 you could activate some of that before we come
14 to the meeting it sure would be a lot easier
15 on us to be able to digest this stuff.

16 MS. SCHULZE-HAUGEN: Yes and to
17 the extent that we have them ahead of time I'm
18 happy to do that. To the extent that we're
19 doing them right before the meeting, that will
20 be more difficult.

21 MR. HUDSON: To that point, a lot
22 of times at the council we don't even get some
23 of them until we're at the meeting or after
24 the meeting and they do have to then fill in
25 the blanks. But we at least know what's there
26 and that gives us, it ties in with your agenda
27 which you do have an active link on. So thank
28 you.

29 MR. BROOKS: Good. Mark and then
30 I think Bob.

31 MR. TWINAM: I just have a couple
32 of small comments on the summary. And I just
33 urge you strongly not to prohibit -- put
34 hammerhead sharks on a prohibited species
35 list. It's already went on the Pelagic
36 longline list and if it goes on the bottom
37 longline list it's just taking money out of
38 the fishermen's pocket as long as we continue
39 the longline for sharks. And if they did
40 restrict it more because they want to save the
41 hammerheads, you know, we might be able to
42 live with that but if we have an observer
43 onboard and the hammerhead is dead we should
44 be able to sell those fins. And as I said
45 before, in the future the Chinese money is
46 going to be more valuable, the Chinese market
47 is going to be more valuable to the American
48 fishermen and we shouldn't have anything that

1 is to the side of the boat dead that we can't
2 keep as long as say we have an observer
3 onboard. And observers onboard should be more
4 and more common. And to throw that money away
5 is criminal.

6 The other thing I have to say is
7 on the chance of getting some of the bluefin
8 tuna quota out of the purse seine category I
9 think it's -- before you talk about giving any
10 to any other category the Pelagic longline
11 category should be first. Right now
12 basically, because they're taking the discards
13 away they've got the thumb on the longline
14 category. They should be able to land their
15 fish. If the whole goal of supposedly
16 revitalizing swordfish fisheries is to land
17 more swordfish then the less long-lining you
18 do the less swordfish you'll have.

19 And as far as the Gulf of Mexico,
20 trying to close the Gulf of Mexico for long-
21 lining, if you look at the sheets we looked
22 over the last couple of days, the percentage
23 of the overall bluefin tuna catch out of the
24 Gulf of Mexico is a tick on a dog's back and
25 they want to close the Gulf of Mexico to long-
26 lining for that reason? Please don't let it
27 happen. Thank you.

28 MS. SCHULZE-HAUGEN: Okay, just to
29 be clear, this summary was not intended to be
30 the things that are going to happen, they are
31 a summary of ideas and suggestions that are --
32 were put forward. So don't feel like just
33 because it says, you know, suggestions to that
34 that means that's necessarily what's going to
35 happen. It's a reflection of the discussion.

36 MR. TWINAM: Okay, I just wanted
37 to try and shoot them down early.

38 MR. BROOKS: Wasn't quite the
39 point of this moment but point taken. Bob.

40 DR. HUETER: Just a simple
41 request. I would appreciate getting an
42 electronic copy of the research plan so that
43 I can distribute it to my scientists and we
44 can give it a thoughtful review and get
45 comments back to Guillermo. Thanks. And if
46 I could get it here at the meeting I'll be
47 here this afternoon. That would be really,
48 really super. Otherwise by email would be

1 fine.

2 MR. BROOKS: Thanks. Well I just
3 want to echo Margo's comments, I think this
4 was a very productive meeting, a lot of
5 substantive discussions and I want to thank
6 you all for your very active participation and
7 at this point adjourn the AP meeting. And
8 then we will reconvene here in one hour at
9 1:00 for the future of the shark fishery
10 workshop. So thank you all very much and
11 we'll see some of you in an hour and a bunch
12 in six months.

13 (Whereupon, the foregoing matter
14 went off the record at 11:56 a.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: 09-22-11

Place: Silver Spring, MD

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.



Court Reporter

NEAL R. GROSS

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