

U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ASSOCIATION
NATIONAL MARINE FISHERIES SERVICE

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HIGHLY MIGRATORY SPECIES ADVISORY PANEL

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MEETING

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THURSDAY
SEPTEMBER 12, 2013

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The Advisory Panel met in the Sheraton Hotel, 8777 Georgia Avenue, Silver Spring, Maryland, at 8:30 a.m., Scott McCreary, Facilitator, presiding.

PANEL MEMBERS PRESENT:

PAMELA BAKER
TERRI BEIDEMAN
RICK BELLAVANCE
ANGIE BOEHM (proxy for Scott Vaeth)
ANDRE BOUSTANY
RON CODDINGTON
SONJA FORDHAM
WILLIAM GERENCER
WALTER GOLET
MARIN HAWK (proxy for Bob Beal)
RUSSELL HUDSON
ROBERT HUETER
STEVEN JAMES
WALLACE JENKINS
DAVID KERSTETTER
GERALD LEAPE
SHANA MILLER
KENNEDY NEILL
JEFF ODEN (proxy for Sean McKeon)
TIM PALMER

ELLEN PEEL
ROMULUS WHITAKER
MARK SAMPSON
SCOTT TAYLOR
STEVEN THOMAS
PERRY TRIAL
MARK TWINAM
RICK WEBER
CHRIS WEINER
ALLAN WILLIS

ICCAT REPRESENTATIVE:

JOHN GRAVES

STATE REPRESENTATIVES:

MARTHA BADEMAN, Florida Fish and Wildlife
Conservation Commission
RANDY GREGORY, North Carolina Division of
Marine Fisheries
CARRIE KENNEDY, Maryland Department of Natural
Resources

COUNCIL REPRESENTATIVES:

DEWEY HEMILRIGHT, (proxy for Stephen Linhard)
MAFMC

FACILITATOR:

SCOTT McCREARY

NOAA FISHERIES OFFICE OF SUSTAINABLE FISHERIES
HIGHLY MIGRATORY SPECIES DIVISION CHIEF:

MARGO SCHULZE-HAUGEN

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

(8:37 a.m.)

MR. McCREARY: Good morning, everyone. Welcome to the fourth and final day. So we have a couple of presentations and discussions. And Margo is going to kick us off and then we will have a presentation on vessel monitoring systems.

MS. SCHULZE-HAUGEN: Yes, so good morning, everyone. Just as a quick introduction to this morning, VMS has been something that we have been talking about and working on for some time now. And we implemented a final rule I think it was over a year ago, 2011 and that required a new kind of unit, one that had two-way communication, which is a big improvement from the original units that have been required for almost a decade. It also required hail-in and hail-out, with indication of species and gear type. And this was so that the Office of Law Enforcement folks that track vessel location are able to determine what fisheries vessels are participating in and then what rules apply, so what areas may be acceptable or not to fish in.

It was something that was a stronger quest from Office of Law Enforcement to make their work more efficient and also to provide the abilities to communicate with boats at sea with their issues. Things can be resolved without boats having to come back in.

When we implemented or released the final rule, a number of issues were brought to our attention on requirements for boats that really weren't participating in HMS fisheries. They may have permits and the desire for folks to be able to get out of some of the VMS hail-in/hail-out while they were participating in those other fisheries.

And so that is what this rulemaking has kind of come directly out of the comments that we got, unfortunately, after that final rule published. So it meant that we had to do another rulemaking to address it.

So here we are. And Cliff is going to walk us through it.

MR. HUTT: Good morning, everyone. So as Margo was saying, currently we have VMS

1 requirements in all our pelagic longline
2 fisheries. And for vessels using bottom
3 longline gear for sharks or who have a directed
4 shark permit and bottom longline gear onboard
5 and are located and are fishing between the
6 lat/longitude of 30 degrees north and 36 degrees
7 north latitude and with the mid-Atlantic closed
8 area is closed. And for directed shark permit
9 holder with gillnet gear onboard from November
10 15th to April 15th.

11 These units must be installed by
12 qualified marine electricians. And for current
13 reporting requirements, vessels have to turn the
14 units on at least two hours before leaving port
15 to issue their hail-out. They are required to
16 hail-in no less than three hours before
17 returning to port and they have to provide hourly
18 location signals while at sea. Currently, we
19 allow these units to be turned off when the
20 vessel returns to port.

21 Now, as Margo was just saying, the
22 enhanced mobile units, they allow for two-way
23 communication. And that is why they were kind
24 of adopted over the old units that really just
25 provided location pings. They allowed the
26 declarations for target species and gear type,
27 exchanging emails, things of that nature.

28 However, since instituting the
29 current rules, we have had some complaints about
30 fishermen, particularly about the need to
31 hail-out two hours in advance. Some of the
32 guys, their boats, their gear is such that they
33 really don't need two hours of prep time before
34 leaving. So it is an inconvenience to have to
35 come in so much earlier, especially considering
36 fishermen usually get started pretty early in
37 the morning anyways.

38 And they find the hail-out and the
39 hail-in requirements to be burdensome,
40 particularly when they are not fishing for HMS,
41 especially if they are then fishing in other
42 fisheries that don't require VMS. Some of our
43 fishermen, the other fisheries they do fish in
44 do require VMS so they have got to do it either
45 way.

46 Enforcement has also reported to us
47 and in some cases, particular with vessels they
48 are out for multiple days at a time, that they

1 will get the hail-ins several days in advance of
2 the boats landing. Currently, the requirement
3 is kind of open-ended only it says it has got to
4 be at least three hours before you land but it
5 doesn't specify an outward bound on how soon
6 before landing you can specify it. And this
7 makes it difficult to coordinate dockside
8 inspections.

9 Also, the current rule allowing
10 fishermen to turn off their units while in port
11 isn't consistent with VMS regulations in other
12 fisheries.

13 So, what changes we are proposing at
14 this time are: 1) to require hourly location
15 signals 24/7, whether the vessel is fishing or
16 in port. However, we would provide the option
17 for fishermen to contact OLE and request a
18 documented exemption if they are not going to be
19 fishing for an extended period of time. You
20 know if the boat is going into dry dock or has
21 to be taken out for repairs or whatever or they
22 are just, their fishing season is over and they
23 are not going to be fishing for a while, they can
24 get a documented exemption to turn the unit off.

25 One, this would allow us to
26 eliminate the requirement to hail-out two hours
27 in advance of leaving port. The purpose of that
28 requirement was to ensure that OLE got at least
29 one or two location pings before the vessel left
30 the dock. So they knew for sure that the vessel
31 was at the dock at the start of the trip or when
32 the declaration was made.

33 If we are going to have them pinging
34 all the time when they are sitting at the dock,
35 there is really no need to show up two hours in
36 advance to make that declaration. So we changed
37 it so that you could wait until you are actually
38 leaving port to make the declaration to give
39 fishermen some extra flexibility.

40 We do not expect this to result in
41 a big increase in overall reporting costs
42 because most of the units have kind of a flat rate
43 for hourly pinging. And even those that don't,
44 they are fairly cheap per ping.

45 Also we are proposing to require
46 that in addition to the hail-ins for when you
47 are returning to port, in addition to being no
48 less than three hours before returning to port,

1 they should be no more than 12 hours before
2 returning to port. OLE feels this will better
3 facilitate the ability to coordinate dockside
4 inspections and it still gives the fishermen a
5 nine-hour window in which they make the hail-in
6 and still get back to port.

7 Finally, we are proposing to give
8 HMS fishermen the option of making a declaration
9 out of the HMS fishery, if they are not going to
10 be targeting HMS for an extended period of time.

11 So if you are then going to be
12 fishing for something in a fishery that doesn't
13 require VMS, you would no longer be required to
14 make the daily hail-outs and hail-ins until you
15 begin fishing for HMS again. You would still be
16 required to have the unit on providing hourly
17 location signals and would still be bound to all
18 other applicable HMS regulations. You
19 will/wouldn't be allowed in the closed areas
20 unless otherwise allowed.

21 Because we are doing kind of a full
22 PRA renewal associated with this rule and didn't
23 really get any comments the last time around, we
24 are kind of requesting comments on the full range
25 of HMS, VMS regulations. So in addition to the
26 current changes of requiring the 24/7 reporting
27 and modifying the hail-out and hail-in
28 declarations, we are also asking for comment on
29 our time and cost estimates associated with VMS
30 and the costs of having it installed.

31 You all are familiar with the
32 comment process. They can be made
33 electronically through the web. They can be
34 submitted to us in writing or by fax or phone.
35 We do ask that people include the identifier that
36 is listed above there when submitting comments
37 for organization. And all comments will be
38 posted online as part of the public record.

39 I am sure most of you who are dealing
40 with VMS know Pat O'Shaughnessy. Obviously, if
41 you have any questions about the Southeast VMS
42 program, he is the one to contact.

43 And if you have questions about the
44 current proposed rule or the current HMS
45 regulations, you can give either myself or Karyl
46 a call.

47 And with that, I will take any
48 questions.

1 MR. McCREARY: All right. Let's
2 see if there are any questions here. Martha?

3 MEMBER BADEMAN: Thanks. Martha
4 Bademan, Florida Fish and Wildlife.

5 I was just wondering if you guys have
6 been coordinating with I guess it is Andy
7 Strelcheck in the Southeast Office. The Gulf is
8 undergoing some changes to their IFQ
9 requirements right now because they have been
10 living with this for five plus years.

11 Some of the changes that you have
12 proposed sound like they mesh with what we
13 already have in the Gulf but they have been
14 changing some of the -- or they are in the process
15 of changing some of the landing notification
16 things to make it a little bit easier for
17 fishermen and law enforcement to coordinate on
18 the back end. And I was just wondering if you
19 were coordinating on that.

20 We are kind of at the same stage,
21 actually. I think that rule was just approved
22 by the council two weeks ago and so it is kind
23 of in the proposed rule phase as well.

24 MS. SCHULZE-HAUGEN: So my
25 understanding is that they have much more
26 detailed requirements, specific approved
27 landing locations, landing windows. So we are
28 not proposing that level of specificity but just
29 more of the timing so that we have the capability
30 to meet a boat if needed. So we are aware. We
31 are in communication but it is, I think,
32 substantially different.

33 MR. HUTT: Yes, most of our
34 coordination has been with Pat O'Shaughnessy in
35 Saint Petersburg.

36 MR. McCREARY: Good. Thanks,
37 Martha.

38 I have Rusty, Terri, and Scott
39 Taylor. Rusty.

40 MEMBER HUDSON: Rusty the Directed
41 Sustainable Fisheries, Rusty Hudson.

42 Anyway, what is the date due on this?
43 I didn't see it on the slide.

44 MR. HUTT: It isn't on there?
45 Sorry. The comment period currently ends
46 September 30th. And we are having a webinar the
47 afternoon of I believe it is September 23rd.
48 Yes, it is September 23rd from about 1:00 to 3:00

1 in the afternoon, if I remember correctly. It
2 is listed in the proposed rule.

3 MEMBER HUDSON: Thank you. I
4 actually believe I remember putting those dates
5 in my fisheries events so I can circulate.
6 Thanks a lot.

7 MR. McCREARY: Thank you. Terri.

8 MEMBER BEIDEMAN: Terri Beideman.
9 A couple of things. At least a quick census and
10 the fishermen, this was published, you are going
11 to have a comment period at the end of the month.
12 A lot of my fishermen are out at sea. I don't
13 really have an opportunity to like take a census
14 of how this will affect everybody. So the folks
15 that are here kind of see that they don't have
16 an instant problem with the fact that you are
17 requiring 24-hour extra pings that we pay for and
18 are appreciative that it eliminates that
19 hail-out requirement.

20 I have had a couple of specific
21 questions concerning the SkyMate and issues with
22 the SkyMate. Either you have to poke them to fix
23 it up or something. I also had another fellow
24 discuss that if they only fish coastally,
25 Boatracs works for them. And I don't know all
26 the specifics. It is not that.

27 But I would request that we could
28 have an extension on the comment period for this
29 because this is the height of our season. We are
30 kind of pummeled with other regulations taking
31 our attention. And I have not had the first
32 opportunity to speak to, only until today really
33 directly on this because of other interests.

34 And someone also asked if you
35 hail-out, do you have to remove your gear. If
36 you are hailing out of the fishery for a couple
37 of months, would you just stow it like you would
38 normally? That is a question.

39 MR. HUTT: If you are declaring out
40 of the fishery, technically no, you don't. But
41 I mean the assumption would be that if you are
42 going fishing for something else, if you are
43 using a different gear, you would stow it
44 anyways. But even if you are using the same
45 gear, as long as -- you are still required to
46 provide the hourly pings. So no, you don't
47 necessarily have to stow all your gear.

48 MEMBER BEIDEMAN: So I guess along

1 that same line, that if your boat was going in
2 the shipyard and it wasn't going to be fishing,
3 it was going to be declared out in another
4 fishery but it is not going to be fishing for an
5 extended period of time, several weeks. So
6 there is a mechanism that people could notify and
7 say listen, my boat is going in the shipyard, I
8 am not going to be fishing until at least
9 whenever. Would that be sufficient? Because
10 it is stupid to have it pinging away.

11 And in fact, if you have to cut the
12 juice to your boat for a repair or something,
13 then the signal is going to stop and I don't want
14 to see people get violated over those things.

15 MR. HUTT: Yes, if you need, if your
16 boat is going to be out of the water for a given
17 period of time in dry dock or whatever, yes,
18 there is an option to contact OLE in the
19 Southeast, Pat O'Shaughnessy's office and
20 request a documented exemption for an extended
21 period of time. Turn it off and you are good to
22 go.

23 And I know that they understand that
24 sometimes there are mechanical issues and things
25 get cut off. I mean usually if that is happening,
26 give them a call and they are usually pretty
27 flexible in dealing with that, as long as
28 somebody is notifying them what is up.

29 MS. SCHULZE-HAUGEN: A couple of
30 things, on the comment period extension request,
31 this is the first I have heard of it, but one
32 thing I would say is that part of what we are
33 trying to do in this is also have regulations
34 that come into effect November 15th, adjusted
35 via this rule as well.

36 And so a delay in that comment period
37 would then mean that we miss that and some of the
38 requirements that are applicable November 15th
39 would come online unchanged. So we do have some
40 kind of back end timing considerations as well.

41 And on the other issue about SkyMate
42 issues, what I can say is that the Agency is very
43 aware of issues with SkyMate. It is not my area
44 of jurisdiction in terms of abilities to either
45 discuss it because I don't know all the details,
46 although I have heard a lot of stories, or
47 involved in what is being done. But I know it
48 is very highly front and center on the Agency's

1 mind.

2 MR. McCREARY: Thank you. Scott
3 Taylor.

4 MR. TAYLOR: I am aware that Margo
5 and Karyl and certainly Pat O'Shaughnessy and
6 OLE are all aware of the SkyMate issues but I am
7 probably pretty sure that most of the panel is
8 not. So I am going to take this opportunity to
9 encourage them. Because while you are aware of
10 the problem, there has been no direction
11 forthcoming and there is implementation coming
12 in.

13 And the problem with the system is
14 it doesn't work. And that is as simply put. It
15 is unreliable. At very best, there is
16 intermittent service on the actual pingers.
17 The email capacity to hail-in and out basically
18 never works, at least in the southern
19 hemisphere. It is a line of sight system, which
20 was not the way that it was initially represented
21 to us. It essentially works just like VHS and
22 the satellite is too low on the horizon in the
23 southern hemisphere. And so when you talk to
24 their technical support people, essentially,
25 their answer is well all the problems that you
26 are describing to us have to do with a low level
27 of signal strength.

28 And while everybody within your
29 office at VMS, Pat and all of his people, Matt
30 are aware of it because the system was authorized
31 and paid for with our tax dollars to be installed
32 on the boats that nobody, at least up to this
33 point without assigning blame really wants to
34 give direction to have us replace the units on
35 the boat because I think that there is legal
36 implications for the authorized system.

37 But it is a huge problem. And their
38 solution temporarily for our fleet has been for
39 us to manually call in and call out and the odds
40 of there being a problem essentially with that.
41 Initially what the suggestion was for us was to
42 make the declaration anyway in the system. But
43 that doesn't work either because what happens is
44 is that once you have an email in the outgoing
45 queue, the system locks until that email goes out
46 and then it will not allow you to queue the system
47 again to either hail-in or hail-out.

48 And so we have tried all the other

1 things that Pat specifically had requested that
2 of us because at the very least at that point
3 there would have been a log record of the hail-in
4 and the hail-out but you can't even -- we can't
5 even do that.

6 The Tron and Tron units that are on
7 the boats, while most of the people -- it was
8 probably one of the most reliable VMS systems
9 that you had until you went to the hail-in and
10 hail-out.

11 There are a couple of units still
12 within our fleet in which we are waiting for the
13 new thumb drive and upgrades from them.

14 The Faria units, I think I am
15 pronouncing that right, they are just now
16 getting some of the software out to us to upgrade
17 some of the boats.

18 So I understand that the rulemaking
19 sometimes has to push technology, but this is a
20 case where the rulemaking is ahead of our ability
21 to be able to comply. And there is a high level
22 of concern, particularly with some of the other
23 requirements that are coming out that we have a
24 workable system.

25 I would love personally, to be able
26 to send my boats an email and actually have them
27 be able to respond. And I thought that I was
28 going to be getting that with the systems that
29 were in there in the boat. It was a great idea
30 just in practice.

31 So what I would do is I would
32 encourage anybody that wasn't aware of it to
33 comment and to press for a resolution and some
34 direction on this because clearly I don't think
35 -- this certainly isn't directed at you, Margo,
36 I don't think that you have the ability to fix
37 the problem or to give us direction at this
38 point. But I am not really sure.

39 And here is the question in this
40 rambling. Who does?

41 MS. SCHULZE-HAUGEN: So some of
42 what the, I think, approved vendor authorized
43 vendor issues are national and I think they are
44 trying to work out a national solution.

45 So there is headquarters VMS OLE
46 staff. And so I think that is probably the place
47 to turn. Certainly, we are in communication
48 both with Pat as well as the national folks

1 because they are up here at headquarters.

2 So we are sharing what we are
3 hearing. We are also trying to give you the
4 context to pursue it yourself. So I can get that
5 to you.

6 MR. TAYLOR: Because clearly, I
7 mean and I have spoken to the President of
8 SkyMate all the way to the top. And there is no
9 answer forthcoming from them. And I am just
10 pointing that out to you. This is not a fix for
11 them. They are not going to spend \$100 million
12 to launch a new satellite or to re-task the
13 satellite that is there.

14 So this is a hardware design issue
15 for them and that is, I think, essentially what
16 the problem is. So ultimately that has got to
17 come out of OLE and VMS and without being cute,
18 that Pat, I was hoping to maybe see him up here.

19 And I think he was pretty forthright
20 with why he told me he wasn't coming but that is
21 not neither here nor there. But my point is that
22 ultimately the issue that if we are going to have
23 a reliable system, it isn't going to be the ones
24 that are installed on the boat. There isn't a
25 fix for that.

26 And so I would encourage that as much
27 as your offices have influence that there is a
28 decision that is forthcoming. I know things out
29 of Washington always don't come in the time frame
30 that we want to see them come. But like I said,
31 I can't tell you how much time and effort and
32 energy and money and personnel time that I am
33 spending on just managing to try to do what is
34 necessary to ask us to comply.

35 And then you come in in the morning
36 and I have got a boat sitting at the dock because
37 it was 3:00 a.m. and they didn't want to call me
38 to let me know that they were coming. They had
39 a mechanical issue or something. And then you
40 are trying to hail them in after the fact.

41 MR. McCREARY: Thank you. Dewey.

42 MEMBER HEMILRIGHT: This rule helps
43 a little help from changing the hail-in and
44 hail-out. But it does cost the extra expenses
45 of having to keep your thing on all the time.

46 So you fix one problem and you made
47 another problem. It is going to cost a little
48 more money but it is workable. The main thing

1 here is for probably over the last five or six
2 years I am sure I have emails sent to Mike Clark
3 telling how uselessness the SkyMate service is.
4 And based on I had to get a sat phone to be able
5 to call in to every time to tell you my system
6 ain't working. I think my pinger part works but
7 your email types of stuff sometimes it works and
8 sometimes it doesn't.

9 But we are not the ones that had a
10 chance to choose the vendors and you're not
11 neither. But you are the ones that tells us here
12 is what we have to do. And I found over the last
13 probably five or six years I am pretty sure it
14 has been that long having to deal with SkyMate.
15 I can't remember the first time I had to put this
16 system on. You have heard that. So it is
17 basically you are our only conduit to fixing the
18 problem. So either the uppers above you with
19 this aren't hearing your message for the last
20 five or six years or you are not telling them.
21 So it is a problem. Something else with
22 these new systems here. Why don't we have
23 electronic logbook reporting through this once
24 there is a good email system where something is
25 good with these vessel monitoring systems where
26 you have electronic logbooks included in there.
27 It would stop the repetition of all the -- might
28 save a few trees. Might stop a few jobs but it
29 would definitely fix your time and reporting.

30 The problem is is that at your level,
31 whoever looked at the SkyMate system. I mean
32 basically it is a laptop with all but two ports
33 with some silicone or super glue stuck in there.
34 And we are having -- I mean it is almost like you
35 need somebody with some smarts to proof it who
36 your vendors are going to be and how the systems
37 work. Because this was going to come out a year
38 ago I think last year and it had to be stopped
39 because the systems they sent out didn't have the
40 hard drives or the updated software.

41 Right now I would say the system is
42 unreliable. Because if you got a total package
43 and only about a quarter of it works, it is pretty
44 darn useless.

45 So maybe you all could -- hey we will
46 see what happens next year. This is probably
47 five years this has been brought to your
48 attention. And hopefully we could fix it.

1 Also, the people, Pat O'Shaughnessy
2 and the crowd down there and the VMS people have
3 worked with us when we call them and tell them
4 we are going fishing, we are putting out pinger
5 but this isn't working on it, they have been
6 great. Because I have probably used my sat
7 phone more to call in to them than I have any
8 other thing since January when I had my thing
9 installed.

10 So thank you.

11 MR. McCREARY: Thanks, Dewey.

12 Margo?

13 MS. SCHULZE-HAUGEN: Yes, I mean
14 all I can tell you is we have been telling them.
15 We are not your only conduit.

16 The VMS type approvals are done by
17 the Office of Law Enforcement completely. And
18 so this is something that they are working on.
19 I don't know the full depth of the issues. I
20 agree they are longstanding and well-known.
21 But it is not -- I can put pressure on. I am.
22 You can, too, through Pat.

23 And then what I will do is get, I
24 believe it is Kelly Spalding is the national VMS
25 coordinator. So we will get her phone number
26 and hand that out to you guys.

27 But it is --

28 MEMBER GERENCER: Would that be her
29 phone number?

30 MS. SCHULZE-HAUGEN: It will not be
31 her home phone number.

32 (Laughter.)

33 MS. SCHULZE-HAUGEN: But I would
34 encourage you, you know, we are working within
35 the channels that we have but you all have
36 communication abilities, as well.

37 So I wish I had better news but it
38 is not something that I can really fix.

39 MR. McCREARY: Dewey, thanks for
40 laying out those issues. And Margo, thanks for
41 the status update and suggestions.

42 Jeff.

43 MR. ODEN: I just want to
44 essentially say the same thing these two guys
45 have just said. I mean Mark here as well, he has
46 turned his off. He has another alternative VMS
47 unit. But truthfully, you have got to do
48 something about it. Because if I ever figure

1 out a way to get my hand through that phone on
2 that technician's throat who keeps telling me it
3 is my problem, I am going to kill him and end up
4 on death row. Thank you.

5 MR. McCREARY: Okay, Scott Taylor.

6 MR. TAYLOR: Yes, I again just want
7 to echo what Mark said. We are done with the
8 technical people at SkyMate. It is just wasted
9 time. But something that was really
10 distressing happened last week. And that was I
11 got a phone call from Matt at your office. And
12 Matt communicated to me -- I assume you are with
13 Pat's office, right? No. I apologize, then.
14 Okay, you are with HMS. I apologize.

15 So, I got a phone call from Matt at
16 VMS, Pat O'Shaughnessy's office, who
17 communicated to me that OLE was pushing him for
18 us to be aware that they were going to start
19 writing violations for compliance.

20 So if they are so aware of the
21 problem and they are the ones that are
22 essentially trying to fix it and they know that
23 they are the ones that are doing everything we
24 can, why are we being told that if the problem
25 doesn't get fixed, that they are going to start
26 writing violations.

27 And the phone call was essentially
28 orchestrated and was directed at us because a
29 couple of the SkyMate boats have intermittent
30 signals. You know I mean I will be sitting at
31 dinner and I will get an email from one of my
32 captains on the system from six weeks ago. It
33 will all of a sudden pop up. It was in the
34 system. It got a quick connection, whatever it
35 was, a bounce, and their impression is that we
36 should still be continuing to use the system to
37 hail-in and hail-out. And the other systems
38 that still don't have all the software upgrades
39 that we are waiting for from the manufacturers,
40 OLE thinks that they should be in full
41 compliance. Well on a lot of these cases, it
42 isn't anything that we are doing that we are
43 waiting on the manufacturer, we are waiting on
44 them to deliver the stuff that we need. And then
45 once we get it, we still have to have our
46 technical people, and I guess this is the right
47 word, fiddle with it. Because this stuff is not
48 --

1 MR. McCREARY: Not quite in sway.

2 MR. TAYLOR: So my concern is that
3 when I start getting phone calls that we are
4 doing everything that we possibly can to comply
5 and there is the potential for sanctions coming
6 down the line, that I am sitting up and paying
7 attention because I really don't know how to
8 solve the problem.

9 And I mean it was flat-out told to
10 me just that simply that boats that should be in
11 compliance, that they are going to start writing
12 citations. That was the exact language.

13 MR. McCREARY: Okay, thanks. So
14 clearly, there is an issue on the table. The
15 suggestion is multiple lines of communication to
16 OLE. Margo has explained kind of the
17 demarcation between the different divisions of
18 the Agency. And I can certainly acknowledge the
19 issue. I don't know what else there is to be
20 said today about this.

21 MS. SCHULZE-HAUGEN: No, I mean
22 that is news to me and a little surprising but
23 I will track that down.

24 MR. TAYLOR: The context was,
25 Margo, that their feeling was that okay you are
26 having some problems with some of the equipment
27 but that doesn't negate everybody from doing the
28 call-in and call-outs. And what was the last
29 directive that we had gotten from Pat's office
30 was just verbally call the boats in and call the
31 boats out. And then mid-stream we have got a
32 change. And like Terri said, I have got people
33 that are out on the water and you have
34 miscommunication. We just don't snap our
35 fingers and communicate this with the guys that
36 are on the water and then all of a sudden, change
37 the way that the compliance issue is done because
38 it is very frustrating for them. You know for
39 me to keep telling them you have got to do it,
40 you have got to hail-in, you have got to hail-out
41 and it just doesn't work.

42 So that is really where we are with
43 it.

44 MR. McCREARY: Scott, thank you.
45 Mark.

46 MEMBER TWINAM: Mark Twinam. I
47 just wanted to say that because of this, you
48 probably have to be aware of the blood pressure

1 rising when they start wanting to put the cameras
2 onboard. Because as long as this stuff is
3 reliable, it is really not an issue. I was
4 scared to death when they first came out with VMS
5 that it would cost me a trip, or cost me days or
6 something. And fortunately, I haven't had that
7 problem. I got the SkyMate in the beginning for
8 the HMS. And then in the meantime, I had to get
9 -- it wasn't good enough for the reef fish in
10 Florida so I got the Faria VMS. And I started
11 having trouble with the SkyMates. I thought I
12 was the only one in the world until this week.
13 But I finally shut mine off.

14 And the Faria is a really good one.
15 I never turn them off. Since they have been
16 installed, they run the whole time. And the
17 Faria is power efficient. It is really good.
18 But the SkyMate was real nice because you could
19 email off your laptop really easy and the Faria
20 is really hard to email. It is small and
21 difficult to use.

22 So they all have good and bad points.
23 So you really haven't apparently got to a point
24 where it is comfortable to use them. And when
25 it comes time to put the cameras on, people are
26 going to have all these things in the back of
27 their mind and it can be frustrating. So you can
28 be prepared for it.

29 MR. McCREARY: Thanks, Mark.
30 Scott, another comment?

31 MR. TAYLOR: And then the last
32 comment. The Agency had an opportunity to see
33 some of the things that we are doing on the boat.
34 And so what I would strongly encourage as we move
35 forward here with Amendment 7, that there are
36 systems out there that work that are user
37 friendly, that are 100 percent reliable that are
38 there. Maybe the vetting process needs to be
39 taken a look at here so that the system that may,
40 at some point, get recommended to the PLL fleet,
41 is vetted by people that really understand
42 necessarily how it is going to be used.

43 MR. McCREARY: And by vetting you
44 mean vetting the technology, not the proposed
45 rule. Right? The functionality of the
46 technology.

47 MR. TAYLOR: Well I think they are
48 hand in hand.

1 MR. McCREARY: Sure.

2 MR. TAYLOR: I am not going to
3 debate whether you put the horse or the cart
4 before it. I think that is common sense.

5 But here we are in a situation where
6 we are doing the same thing again, we are
7 proposing a rule but yet the technology that is
8 available that is approved right now won't
9 necessarily do what it is. I think the rule,
10 though, contemplates the development of that
11 technology to a certain degree.

12 So what I am saying is that because
13 there are so many different agencies that get
14 involved in this stuff, that this is really
15 something that I think HMS needs to be involved
16 with for the purposes of, at least if nothing
17 else, a recommendation for what is going to be
18 put out there.

19 MR. McCREARY: Thanks, Scott.
20 Anything else from you? No?

21 MR. HUTT: I did want to have one
22 clarification. Earlier when you were talking
23 about the problems with SkyMate, you kept saying
24 the southern hemisphere.

25 MR. TAYLOR: Well what I mean
26 actually the boats that are in the southeast
27 region is really what I wanted to say. I have
28 some boats that travel to the north. And the
29 system is much more reliable up in the northeast
30 than it is in the southeastern United States or
31 the area that we are fishing. And I think that
32 has to do with satellite orientation. So that
33 the satellite is higher off the horizon, the
34 farther north you go.

35 That is why Mark's pinger works all
36 the time, because that operates at a lower level
37 of signal strength.

38 So as you move further south and the
39 signal strength drops, even the pingers
40 themselves become intermittent on the system.
41 So I can't tell you how many calls I have gotten
42 from OLE that your boat is not pinging. And it
43 is like you need to call them and communicate.
44 And I said well I would love to send them an email
45 but that is not going to get me anywhere. I will
46 try to get a message to the boat. But we all know
47 what the situation is with that.

48 But I also want to say -- and I think

1 this is probably true for all, at least the PLL
2 fleet, we never turn our systems off. This is
3 something that we already had. It is part of the
4 subscription fee. So the real change for us is
5 effectively was the hail-in and hail-out. You
6 always know where those boats are sitting.

7 MR. McCREARY: Thank you.
8 Anything else? All right, thank you very much.

9 Is Chris Rogers here?

10 DR. ROGERS: Yes, he is.

11 MR. McCREARY: Welcome.

12 DR. ROGERS: Where do you want me to
13 sit? Right here?

14 Okay, good morning. I see some
15 familiar faces and a lot of new ones. Those who
16 are familiar and haven't seen me in a while,
17 don't say that I look older and heavier.

18 So I am here to give two updates on
19 electronic monitoring schemes for traceability
20 systems and import monitoring programs. So we
21 will start first with the ICCAT electronic
22 bluefin catch documentation scheme. It is a
23 paper-based scheme currently and has been in
24 effect since I guess about 1998 the final rule
25 became effective here in the U.S. to trace
26 bluefin tuna from its origins. It was called a
27 statistical document program at the time and
28 morphed into a catch documentation scheme. The
29 difference being that the statistical document
30 was generated at the time trade occurred,
31 whereas the catch document had to be generated
32 at the time catch occurred. So it backed it up
33 a bit to improve traceability.

34 Okay, so that is just a screen shot
35 of the system that is being developed by ICCAT.

36 The history, there are several
37 recommendations that come into play for the
38 ICCAT scheme. In the meeting in 2010, ICCAT
39 agreed that an electronic bluefin tuna catch
40 documentation scheme should be developed and
41 formed a working group to address issues of
42 automation and going electronic and to define
43 the scope of the requirements.

44 Recommendation 11-20 in 2011
45 updated the paper-based scheme to its current
46 form. That has been pretty much every other
47 year or so ICCAT addresses problems in the
48 paper-based scheme. But that 11-20,

1 recommendation 11-20 is the most current
2 operative mechanism for the paper-based scheme.

3 At the meeting last year, a new
4 implementation schedule was developed for the
5 transition to the electronic scheme.

6 What has the Electronic BCD Work
7 Group been up to since 2011? It had a number of
8 meetings. The first one was to define the
9 requirements and set a schedule. We decided
10 that we were not as I guess you could say fishery
11 managers and observers of the trade, not IT-type
12 people. We really couldn't define all of the
13 technical requirements and decided we needed to
14 go with a feasibility study by an IT-type firm.
15 We had awarded that contract for feasibility
16 study to a consortium in Spain, based in Spain,
17 the TRAGSA Group. They had done some work for
18 the Spanish government on catch monitoring,
19 electronic catch monitoring, including some
20 electronic logbooks. They had some familiarity
21 with traceability schemes also in the
22 agricultural sector for the EU.

23 So they did a feasibility study.
24 They reported their results at the ICCAT meeting
25 in Turkey in November 2011. So at that meeting,
26 the next phase was defined and another meeting
27 of the working group in January 2012 refined
28 those requirements further and developed a
29 request for proposals.

30 TRAGSA group was not barred from
31 competing for the full contract, even though
32 they had done the feasibility study. Sometimes
33 there is a separation but in this case that it
34 was not defined in advance. So TRAGSA was
35 competitive, cost competitive and they were
36 awarded the contract in April 2012.

37 They demonstrated the prototype at
38 the November 2012 meeting in Agadir, Turkey. A
39 lot of concerns about some bugs in the system.

40 For those who are familiar with the
41 catching and farming of bluefin tuna in the
42 Mediterranean, it gets very complicated, much
43 more so than we have here in the west with vessels
44 of several nations doing what they call joint
45 fishing operations; transferring to towing
46 cages, taking to farms in other nations, grow
47 them out, trading between cages. It gets very
48 complicated very fast.

1 And I think TRAGSA was having some
2 difficulties not only understanding the
3 intricacies of the way the trade operated and the
4 working between countries across nations and
5 tracking quota but eventually the contracting
6 parties involved in those farming operations and
7 joint fishing operations worked through the
8 specifications with TRAGSA.

9 In January of this year, there was
10 a user acceptance testing. Again, all of the
11 contracting parties that had an interest in the
12 program met through that working group, tested
13 the system further. We had requested some
14 refinements for the west to simplify it because
15 a lot of the requirements that were necessary for
16 the eastern situation did not apply to the west
17 and we felt that the program could be streamlined
18 and the number of web pages that didn't need to
19 be viewed, you could go straight to the business
20 end of it.

21 So we got some streamlining from the
22 west but evidently they are still struggling
23 with some of the intricacies with the farming
24 operations in the eastern side.

25 There was an on-site training in
26 April. I attended that with some user
27 acceptance testing. Again, we looked at some of
28 the refinements for the west, asked for a few
29 more. And since that time, it was supposed to
30 go to a pilot phase. And that pilot testing has
31 revealed some further concerns about,
32 particularly on the eastern side, being able to
33 record things through the many possible
34 transactions that can occur.

35 So, consequently in July of this
36 year, the integrated monitoring measures
37 working group met in Japan and one of the topics
38 of discussion there was again the implementation
39 of the system and looking at some of the
40 remaining bugs that need to be worked out.

41 So they called for another meeting
42 of the eBCD Working Group for September this year
43 and they are going to look at the remaining
44 technical issues which need to be resolved.
45 They are going to begin to draft a
46 recommendation, as you see on the top of the
47 slide, there is recommendations dealing with the
48 electronic scheme and its development and

1 phase-in, as well as the paper-based scheme.
2 Eventually they have to be merged when there is
3 one electronic scheme. And it has to have all
4 the requirements specified.

5 There is a concern about how lengthy
6 a recommendation of that sort might be. So they
7 have decided that a separate user manual will be
8 an integral part of the recommendation that will
9 get into all the technical details.

10 So that is upcoming. Again, they
11 are going to look at technical issues and begin
12 to draft a recommendation going forward with a
13 full-scale electronic scheme.

14 The implementation schedule, as
15 originally envisioned was in April this year, as
16 I said, there was the government user's
17 training. In May there would be an operational
18 system with pilot testing. It was hoped for to
19 be fully operational. But regardless, it was
20 deemed to be voluntary at that point. The
21 parties and the trade should try to use it, test
22 it, try to break it in a sense, what they call
23 beta testing in the IT world. But the paper
24 documents would still be valid and parties
25 should send their copies of paper documents to
26 the Secretariat, who would enter them into the
27 database. So eventually by the end of this
28 year, it would be a complete electronic database
29 for all bluefin caught. But again, the
30 Secretariat was still having problems in
31 entering all the records into the system because
32 of primarily the intricacies and difficulties of
33 the dealing with the nuances of eastern
34 operations.

35 As I said, in July the remaining
36 technical issues were discussed at the
37 Integrated Monitoring Measures Working Group.
38 There was supposed to be a non-government user
39 training, in other words, the trade community
40 that would be the vessel masters, the cage
41 operators were going to go through a training
42 that was deemed to be train the trainers, so that
43 each country would nominate users, send them,
44 and they would go back to their home countries
45 and train more people who need to use the system.

46 Given those remaining technical
47 issues, I don't believe this train the trainers
48 has been scheduled and maybe postponed until

1 after the November meeting.

2 So what will happen in this upcoming
3 meeting in November, there will be revisions to
4 the measures, again to consolidate the separate
5 streams of recommendations on the electronics
6 scheme and the paper scheme, and to develop this
7 user manual that will be an integrated part of
8 the recommendation but not contain all of the
9 details in the recommendation proper.

10 What had been envisioned was that in
11 March 2014, it would be fully operational and
12 mandatory. But because of the ongoing
13 concerns, technical issues that had not been
14 resolved, it has felt at this point that it
15 wasn't a full pilot phase, as was originally
16 envisioned, particularly for the purse seining
17 operations and the caging operations. And
18 therefore, it is expected that at upcoming
19 meeting in Cape Town that the new measure will
20 revisit the phase-in and invoke a new or a second
21 pilot phase, so that the purse seine season has
22 a full season to operate on a pilot basis before
23 the system is made mandatory.

24 So that is what we anticipate for the
25 upcoming meeting, looking at a new measure, a
26 revised phase-in period, and a detailed
27 technical manual. So it will be a lot of work
28 for those participating in that working group in
29 Cape Town.

30 Any questions on the ICCAT scheme?
31 It has been long in the making and as most large
32 IT projects, sometimes much more than originally
33 anticipated.

34 MR. McCREARY: Thank you. Andre?

35 MEMBER BOUSTANY: No questions yet,
36 just a comment.

37 I just wanted to say thank you. And
38 I think I speak for a lot of people in this room
39 regarding your efforts to increase compliance on
40 not only this issue but other issues. So thanks
41 for that.

42 MR. McCREARY: Thank you, Andre.

43 Any questions? Go ahead, Shana.

44 MEMBER MILLER: I share Andre's
45 thank you except I might be a little more
46 disappointed that the full implementation
47 deadline may be delayed.

48 As you know there are a couple of

1 countries that have already -- at least Croatia
2 has fully implemented it. Someone has fully
3 implemented it. And I am just curious what the
4 U.S. plans are for -- just because the
5 implementation deadline is delayed is delayed
6 doesn't mean we need to delay our
7 implementation.

8 MS. SCHULZE-HAUGEN: So we have
9 been watching the development of the system with
10 great interest. We have a domestic system in
11 place for exports. And so one of the concerns
12 we had early on was how user-friendly ICCAT
13 system would be and did we want to continue with
14 our domestic system and maybe have the interface
15 through our domestic system and then push the
16 data to ICCAT or have U.S. users go directly to
17 the ICCAT system. So there would likely have to
18 be direct U.S. interface for things like imports
19 and maybe re-exports as well.

20 And so at this point I think we are
21 leaning towards keeping our domestic system and
22 then trying to push the data as needed. And part
23 of that is with some of the international aspects
24 of systems, we think we have more abilities to
25 have a good experience if we are in control of
26 the interface.

27 But again, this is a system that is
28 still developing so that that may change but that
29 is what we are leaning towards right now. And
30 then we will go through the process that we need
31 to do domestically to require the use of the
32 system.

33 So I think we will be there. But it
34 is something we are keeping a close eye on.

35 MR. McCREARY: Thank you. Rick
36 Weber.

37 MEMBER WEBER: Just because I am not
38 that close to it, is that eDealer?

39 MS. SCHULZE-HAUGEN: No.

40 MEMBER WEBER: It is still a
41 different system. Okay.

42 Do those coordinate at all?
43 Because one of the recurring themes from Rex and
44 commercials and dealers is the double systems.
45 Is there ability to blend them so that somebody
46 only has to enter a fish once and it flows all
47 the way to where it needs to go?

48 MS. SCHULZE-HAUGEN: Everything is

1 possible.

2 So right now they don't. When we
3 built the eDealer system, the bluefin tuna, and
4 this came up earlier, was not included in part
5 because we had actually just put a lot of
6 energies into updating and revising that system
7 separately because it had some different issues.

8 There is some discussion, as you
9 heard about bringing bluefin in to the eDealer
10 system. That is a domestic landings system. A
11 lot of this, the bluefin eBCD starts at catch but
12 then has separate components of export. And
13 then there is re-exports and imports that don't
14 touch the domestic systems at all.

15 So it is always something that we
16 look at. We are certainly aware that these
17 systems have grown up for different purposes at
18 different times. It can be quite expensive to
19 bring them all in line. And it doesn't always
20 make that sense to spend that money. Sometimes
21 having things separate is okay. But it is
22 something that we look at and try and also think
23 about the users, what makes the most sense for
24 them as best we can.

25 MR. McCREARY: Thank you. Gerri.

26 MEMBER LEAPE: Thanks. Just a
27 couple of things. Have the North Africans shown
28 their hand, other than we didn't get a full pilot
29 testing season for the purse seine fleet?

30 And two, in the further development
31 of this system, this is on another issue, is
32 there going to be a spot for IMO numbers?

33 DR. RODERS: Well, the current
34 recommendation on vessel registration at ICCAT
35 has an optional nature for this mission of IMO
36 numbers. The eastern bluefin measure requires,
37 additionally, that the vessels actively fishing
38 for bluefin tuna in the east Atlantic and
39 Mediterranean be listed separately. That does
40 not require anything in particular regarding the
41 IMO numbers. So those measures would have to be
42 amended or adjusted to make the IMO number
43 mandatory.

44 And as you are aware and others may
45 know here that for smaller fishing vessels, they
46 don't always have IMO numbers. And that has
47 been an ongoing debate. And FAO and other
48 quarters, and certainly several of the regional

1 fishery management organizations as to whether
2 more fishing vessels, in particular smaller
3 vessels, can be brought into that IMO numbering
4 scheme. That is the universal vessel
5 identifier debate that has been ongoing.

6 It would be useful in such a system
7 and in other aspects of international fisheries
8 management as well. But until the IMO number is
9 mandatory, it can't be made a mandatory feature
10 of this system.

11 MEMBER LEAPE: But just on the
12 second part, you did talk about the objections
13 on not having a full pilot testing scheme. Have
14 they shown their hands on anything else in terms
15 of resistance for the financial costs or any
16 other potential obstacles that you have seen so
17 far?

18 DR. ROGERS: No. Morocco has been
19 a steady participant in the electronic bluefin
20 technical working group. I haven't seen any
21 other North African nations there, although I
22 have seen some email traffic from Tunisia asking
23 questions.

24 So they are trying to participate.
25 I think it was Tunisia last year and the year
26 before had expressed some concerns about the
27 expense of the system. But it has largely been
28 born by the Secretariat at this point in time and
29 through some special assessment contributors,
30 separate and apart from their regular dues and
31 some money from the operational budget.

32 We still have to decide in the
33 long-term if there is going to be a just
34 generally absorbed into the ICCAT budget or
35 whether the users of the system would pay
36 differentially, those who harvest more bluefin
37 and, in essence, would pay more money to support
38 the system. So that may be part of the debate
39 for the new measure or maybe part of the debate
40 in STACFAD this year, the financial committee.

41 MR. McCREARY: Thank you. Bill.

42 MEMBER GERENCER: Bill Gerencer.
43 I just wanted to encourage the service to keep
44 control of the data interface themselves and I
45 think that the right way to go is a fish would
46 just have to be entered in once to get all the
47 way through the system. If we are asking people
48 to enter in fish in multiple places, the chances

1 of making mistakes go way up.

2 MR. McCREARY: Thank you. Chris,
3 any other comments you want to make or additional
4 reflections?

5 DR. ROGERS: Well again, this
6 system has been difficult in its implementation,
7 primarily because of the intricacies of what
8 happens in the east with joint fishing
9 operations amongst vessels that have to be -- the
10 catch has to be partitioned according to
11 allocation keys. And they get into the transfer
12 of cages, they are towed to third-party
13 countries, entered into cages. Sometimes they
14 are carried over from one year to the next.

15 And it would have been nice if we
16 could have just built the western style system
17 first and made that operational but we are kind
18 of tied to the eastern situation. And hopefully
19 that would get resolved at the upcoming meeting.
20 I would encourage anybody, particularly dealers
21 who are trading in bluefin tuna to pay close
22 attention, speak with Margo in the HMS crowd and
23 make sure that the system functions for us.

24 But as Margo said and I think Bill
25 Gerencer reiterated, it is best to maintain
26 control of the interfaces to the extent we can
27 and just move the data in.

28 We are currently collecting all the
29 information required by the ICCAT scheme. And
30 if it works and we can move that data seamlessly
31 over to the ICCAT scheme, maybe that is the best
32 way to go.

33 MR. McCREARY: Good. Thank you
34 very much.

35 (Pause.)

36 DR. ROGERS: There we go. Sorry
37 for that delay. We should have put both
38 presentations or maybe I should have put both
39 presentations together.

40 This is a partial answer to some of
41 the concerns that were just expressed,
42 particularly Rick Weber said enter the first
43 once, in one place.

44 This is a government-wide
45 initiative, the International Trade Data
46 System. And the whole concept is called the
47 Single Window that trade information be entered
48 once, in one place and disseminated to all users.

1 So I wanted to give an update on what ITDS is,
2 why is it required, how will NMFS use the
3 international trade data system and what are the
4 next steps for NMFS.

5 Why is it required for NMFS? Its
6 origins were in the Customers Modernization Act
7 which was quite some time ago and we are still
8 modernizing. In 1993 that Act was passed. It
9 called for a national customs automation
10 program. At the time, a lot of documents were
11 filed in paper for the entry of goods into the
12 United States Commerce stream. Paper had to be
13 filed at the port.

14 Customs brokers would run around up
15 and down the coast with stuff that might be
16 diverted on an aircraft. I was coming into
17 Boston, it gets fogged in and now it comes into
18 Kennedy and the paper has to follow it.

19 So electronic implementation of
20 entry filing certainly makes it easier. You can
21 have remote filings from different locations.
22 And it certainly facilitates the entry filing by
23 the trade community.

24 Because of some concerns about
25 security in ports after 9/11, as well as the slow
26 pace, seemingly slow pace of implementing the
27 international trade data system, Congress
28 mandated through the SAFE Port Act. That stands
29 for Safety and Accountability for Every Port.
30 It mandated what we call PGA, the Partner
31 Government Agencies' participation in the ITDS
32 project for any agency that has the authority to
33 make admissibility decisions.

34 In other words, the primary role for
35 Customs always had been and they were part of
36 Treasury before the reorganization to Homeland
37 Security was to collect duties, tariffs. They
38 were a revenue-based organization and they
39 collected statistics for the purposes of
40 assessing whether duties and tariffs were
41 collected appropriately.

42 They really weren't an agency that
43 was designed to assess the details of inbound
44 shipments and figure out is this admissible into
45 the United States or whether it is toxic
46 substances that need to have proper handling,
47 whether it is trade secret stuff that shouldn't
48 be exported. These are the missions of what

1 they call the Partner Government Agencies: USDA;
2 Animal Health; Plant Inspection Service looking
3 for disease agents that may be imported; Food and
4 Drug Administration on products that may cause
5 harm if not properly labeled or not properly
6 tested. Things like that.

7 So we are an agency, National
8 Fishery Service, that has an admissibility role.
9 Therefore, we are a Partner Government Agency
10 that is mandated to participate in ITDS.

11 Our admissibility role is we decide
12 if certain fish products can come into the United
13 States. We have several trade monitoring
14 programs through the Regional Fishery
15 Management organizations like ICCAT, bluefin, a
16 catch document, a swordfish, the bigeye
17 statistical documents. We have a toothfish
18 import, Antarctic toothfish import monitoring
19 program, even though it is administered by the
20 Department of State. There is a Shrimp/Turtle
21 Declaration that shrimp imported into the U.S.
22 must be harvested in ways that are deemed
23 turtle-safe because of our own domestic turtle
24 management program in the shrimp fishery.

25 We have the dolphin-safe tuna
26 labeling under the Dolphin Protection Consumer
27 Information Act.

28 So we have a number of requirements
29 where fishery products coming into the U.S. have
30 to be documented as to their origins, perhaps the
31 ocean area of catch, perhaps the gear that was
32 used, statements that verify or attest to its
33 admissibility under U.S. law.

34 So it also set up, the SAFE Port Act
35 also set up a Report to Congress. So every year
36 the Department of Treasury sends a report to
37 Congress on ITDS implementation, including the
38 efforts made by the Partner Government Agencies
39 to build information technology systems to go
40 electronic and interface with the ITDS, the
41 single window, as they call it.

42 Another impetus is that the U.S.
43 imports 90 percent of our seafood consumed
44 annually. As I said, several of the products
45 are subject to either documentation
46 requirements or sometimes we do have embargoes.
47 For example, through ICCAT we have had embargoes
48 in the past, bigeye tuna from Bolivia, for

1 example. So we would want to use the electronic
2 scheme to help us monitor and screen imports from
3 countries that are subject to embargoes.

4 The single window concept. Customs
5 has another acronym for that that is called the
6 automated commercial environment or ACE. A lot
7 of times you will hear ACE/ITDS all in one word.
8 ITDS is the concept but ACE is the actual
9 software system, the automated commercial
10 environment.

11 So the single window concept, it is
12 a single place. A customs broker will enter all
13 the normal information for an entry, subject to
14 the tariff code specification and any duties
15 that must be paid. But then also the Partner
16 Government Agency ancillary information set
17 that is necessary for that product.

18 So the whole thing hinges on a tariff
19 code. For those who trade bluefin, you may be
20 familiar with the tariff codes. If not, it is
21 quite an extensive set. I think there is about
22 17,000 for describing all of the commodities
23 involved in international trade. There is a
24 world customs organization that manages that
25 manages that system. It is called the
26 Harmonized System. So, countries can work
27 together to make sure their classification
28 schemes work seamlessly. It is a ten-digit
29 number. What we will do is, working with
30 Customs, identify those fishery products which
31 require some further documentation or
32 information elements to describe the in-bound
33 shipment based on those tariff codes.

34 For example, the tariff code for
35 bluefin tuna, we will say that information on the
36 system will know that the information on the
37 ocean area of catch, flag nation of the
38 harvesting vessel, the gear used, the date of
39 harvest is also necessary and not just that it
40 is a tariff code describing bluefin tuna and here
41 is the volume and data.

42 So that is what we call the PGA
43 information set that is ancillary. And again,
44 it would be tied to particular tariff codes where
45 certain information is necessary in addition to
46 the normal entry filing.

47 It is designed to be a concurrent
48 real-time evaluation of admissibility by all the

1 concerned PGAs of the Partner Government
2 Agencies. There are 47 agencies, again, that
3 are mandated to participate by the SAFE Port Act.

4 In some cases, several agencies have
5 overlapping jurisdiction. For example, we are
6 looking, National Marine Fishery Service, we are
7 looking at admissibility from the standpoint of
8 who caught it. Was it a lawful catch? Is it
9 subject to embargo? Is it fully documented?
10 But presumably it is being imported for
11 consumption. Somebody is going to eat it here
12 in this country. That is FDA's mandate. FDA is
13 going to look at seafood imports from the
14 standpoint of food safety. So we do have
15 overlapping responsibility.

16 There are some imports of live
17 bluefin tuna, particularly in the eastern
18 Atlantic Mediterranean for the purse seine and
19 the cage culture operations, but there are some
20 in the U.S. as well. In that case, Animal Plant
21 Health and Inspection Service may have a role to
22 play in looking at live animals brought in for
23 agriculture.

24 So again, the concept of the single
25 window is that the information is entered once,
26 in one place, and all of the participating
27 agencies that need to look at it and make an
28 admissibility determination can have it pretty
29 much in near real-time.

30 So our current process. How do we
31 deal with it? We have the electronic submission
32 of entry data into customs and border
33 protection. That is the normal entry filing.
34 It has been electronic for a number of years.
35 Even though paper is still possible, I think
36 about 99 percent of all entries into the U.S.
37 Commerce are made electronically.

38 And for the most part, customs
39 brokers do that. And that is because with
40 17,000 tariff codes, you have to know the system
41 and you have to make sure that things are filed
42 correctly.

43 And importer can always file on his
44 own behalf. It is like doing your taxes. You
45 can do it yourself or you can have a paid preparer
46 do it for you. But a lot of entries are filed
47 electronically by customs brokers.

48 What happens to the paper forms?

1 Well, they come directly to NMFS under our
2 regulations, usually within 24-hours of release
3 from customs. The copy of the paper document
4 must be mailed, faxed or transmitted to NMFS via
5 electronic image file of some sort.

6 What do we do? We receive these
7 paper files. We enter them into a database. We
8 get a monthly data feed from Customs of all
9 entries for those tariff codes that were
10 interested in monitoring. And then we do an
11 evaluation of admissibility on a post-release
12 basis. In other words, the goods have already
13 been released from customs. Swordfish, bluefin
14 comes in at the airport in Miami. An electronic
15 entry filing is made. The goods are released.
16 The paper document comes to NMFS. We get the
17 data feed from customs that something came in.
18 And then we are going to try to make a match.

19 What is the entry number of this
20 document? Let's see what was filed on the
21 entry. It is the weight and the harvesting
22 nation correctly identified. So we will do that
23 post-release evaluation.

24 Of course if something was amiss,
25 what are we going to do? Well, we are going to
26 contact the importer of record and say the
27 documentation was missing, incomplete.
28 Something was questionable here. In large
29 measure, the goods may have been already
30 consumed or delivered elsewhere, sometimes even
31 re-exported.

32 So it is a way to do that
33 post-release check but it is not the most
34 efficient if you are really trying to block the
35 entry of product that shouldn't come here in the
36 first place.

37 Under the ITDS model, you will see
38 the current flow of information involving those
39 sheets of paper between the trade and the
40 participating government agencies and then back
41 and forth with Homeland Security, Customs Border
42 Protection.

43 On the other side with the ACE, the
44 Automated Commercial Environment, all that
45 information flow will be electronic in near
46 real-time. What we intend to do is have an
47 hourly data feed from Customs through the ACE
48 portal. So we would know within an hour that

1 something has been offered for entry and we would
2 have not only that information set that would be
3 ancillary to the normal customs filing, things
4 like flag nation, harvesting vessel, ocean area
5 of catch, gear used. We would have that
6 information to see if it is subject to an
7 embargo, see if it is subject to some scrutiny,
8 see if a country has a quota for a bluefin tuna.
9 See if there is a catch document that was filed
10 for let's say Antarctic toothfish.

11 We will also require the entry
12 filer, which again could be the importer him or
13 herself or a Customs broker, to attach an image
14 file to that entry filing. So we would actually
15 have the document in near real-time as well.
16 Just click on it, pull it up on the screen and
17 take a look at it.

18 So what are the key elements of ITDS,
19 that message set I talked about, that ancillary
20 information that the participating government
21 agencies need to make that evaluation? The
22 interoperability, basically systems that can
23 talk to each other back and forth. We can send
24 information to customs and say this permit for
25 an importer has expired or this importer of
26 record doesn't have a permit, that kind of
27 information, or this country is subject to an
28 embargo and Customs can send the information to
29 us in terms of that message set and the image
30 files. Finally, that document image system is
31 a key component. It really improves the ability
32 to look at the documents in near real-time.
33 What we hope is to have an hourly data feed from
34 Customs with all of that information.

35 What are the benefits? Traders
36 will only have to submit the information once,
37 in one place. Interactions with the
38 participating government agencies will be
39 automated. Certain things can be an automated
40 check. Certain things may require scrutiny of
41 the image file or the document but there can be
42 near real-time decision making. This can come
43 in. This cannot.

44 Costs will be reduced for both
45 business and government. Rather than mailing
46 and faxing things, waiting and trying to deal
47 with things after the fact, it can be up-front.
48 Agencies will obtain the data more quickly and

1 be able to make their decisions more quickly,
2 even prior to release.

3 Just for your information, we do get
4 in that monthly data feed about 60,000 to 70,000
5 records a month of all seafood products coming
6 into the U.S. So it is a pretty big data set.
7 Not all of those commodities are subject to
8 monitoring and documentation scheme. I would
9 venture to say that there is probably about
10 20,000 to 30,000 entries a year that are subject
11 to some documentation scheme or another and
12 would require some check.

13 So that is still a big amount of
14 information to look at, even in near real-time,
15 if you can. So we will probably have to have
16 some risk management approach of trying to
17 automate things that can be automated but also
18 having some criteria, what we would call
19 targeting and screening criteria to highlight
20 those imports of greatest concern and that would
21 require near immediate scrutiny.

22 Who would submit data to the ACE
23 portal? Carriers, information on the
24 conveyance, the ship, the aircraft will go into
25 ACE. And that will be information that we
26 currently don't have but could take a look at and
27 that might be useful.

28 In other words, if a catch document
29 says it was bigeye tuna caught in the Indian
30 Ocean and you note that it is coming in on a
31 conveyance, a ship, a container ship that was
32 loaded in the Canary Islands, you might question
33 it. Well how is this Indian Ocean-caught bigeye
34 tuna if it was loaded on a ship in the Canary
35 Islands?

36 So we will have information on the
37 conveyance. We will have information from the
38 shipper, the manifest or the commercial invoice,
39 which may contain a little bit more information
40 than tariff codes might tell us about the
41 contents of the goods.

42 Customs broker, as I said, will
43 enter the tariff codes, volume and value as
44 normal on an entry filing. The importer or
45 consignee will get the information from the
46 catch document and either if making a filing on
47 their own behalf into that information or
48 provide that information to the Customs broker

1 so that it will be entered at the same time as
2 the entry filing.

3 So the future process for NMFS under
4 ITDS, electronic submission of the trade data by
5 the Customs broker, including that
6 NMFS-specific message set and the document
7 image, the real-time data feed to NMFS with the
8 image file, so we can take a look at inbound
9 shipments.

10 In some cases, entry filings can be
11 made even before the ship or aircraft arrives.
12 So we would have even more time to take a look
13 at times. We can do a pre-release evaluation of
14 admissibility. In other words, automated
15 checks. Importer permitted, country of origin
16 subject to embargo, those kinds of things can be
17 automated.

18 So, what are our next steps?
19 Rulemaking. We have a rulemaking in prep.
20 What it will do is two things. It will
21 consolidate trade permits. Currently, there
22 are several programs subject to import
23 monitoring where a permit is required for the
24 importer. And an individual would have to get
25 multiple permits or does have to get multiple
26 permits. In other words, if they are importing
27 swordfish, bluefin tuna, bigeye tuna, Antarctic
28 toothfish, there are two permits that would be
29 necessary, the Antarctic Living Marine Resource
30 Dealer permit, as well as the ATMS International
31 Trade Permit.

32 So this will consolidate a single
33 permit for the import/export of commodities
34 subject to NMFS scrutiny and it will be automated
35 through our national permitting system. So it
36 will be a self-serve operation. You log in, get
37 your permit, and print it out as soon as it is
38 processed. Pay online with your credit card.
39 It is very similar to the NMFSpermits.com
40 operation or is that a dot gov now? So,
41 NMFSpermits.gov.

42 So that will be one thing. It will
43 improve the operations of the permits, make it
44 easier for dealers importing/exporting just get
45 one single permit for all commodities.

46 It will also expand the coverage or
47 scope of that permitting scheme. Currently
48 importers of canned tuna that must bear a

1 dolphin-safe label to be sold as such, don't have
2 to have a permit but they do have to have
3 documentation for each in-bound shipment. So
4 to improve the education of those importers of
5 canned tuna, we want to include them in the
6 permitting scheme.

7 The other aspect of the rulemaking
8 will be the electronic entry filing. A lot of
9 the regulations currently say the importer must
10 obtain from the shipment the consignment
11 documents, whether they are the RFMO documents
12 or the NOAA Form 370, the Antarctic
13 Dissostichus catch document for the toothfish,
14 and submit these documents to the National
15 Marine Fishery Service.

16 What the change will be is that the
17 entry filer, whether that is the importer or a
18 customs broker on the importer's behalf will
19 have to file that message set and attach an image
20 file of the document in question to the entry
21 filing.

22 So, that will be the rulemaking. We
23 hope to have that out by the end of this year and
24 have a very lengthy comment period to allow us
25 to make sure that it could be seamless for the
26 trade, they understand what will be required and
27 can work. Again, because it is two communities,
28 perhaps, entry filers may be Customs brokers
29 more so than fish dealers. And those two
30 communities have to talk to each other to make
31 sure that they understand the information in the
32 message set and how to get that communicated
33 through the electronic filing.

34 So we anticipate a lengthy comment
35 period and maybe a final rule towards the end of
36 next year.

37 What we need to do internally, as I
38 said that we are already working on and we have
39 a seen a prototype of self-serve permitting
40 feature on the National Permitting System. We
41 are working with Customs to load what we call
42 reference files in to the ACE system that will
43 be a reference file. Here are a list of the
44 permitted importers. Here is a list of
45 countries subject to an embargo for certain
46 commodities. Here is a list of ocean area of
47 catch that could be or should be designated for
48 these species. Here is a list of proper gear

1 codes that could be used.

2 So those reference files will be
3 communicated and loaded into the ACE system for
4 the automated checks. And then we will use
5 interactive web services for the communication
6 of the validation results between ourselves and
7 customs.

8 Another good feature is that the
9 communication can also be automated with the
10 trade. In other words, the entry filer can get
11 a message that here is a problem: the ocean area
12 of catch doesn't quite jibe with the tariff code
13 that you have entered or you are missing the flag
14 nation of the harvesting vessel. Get back to us
15 with that and we will continue to process your
16 entry filing.

17 So there will be, as I said,
18 real-time communication via email with the
19 trade, with NMFS, with customs as it develops.

20 So, there is the concept of the
21 single window and electronic processing.

22 MR. McCREARY: Thank you. It looks
23 like we have a couple of questions. Rusty, you
24 had a question and Bob does.

25 MEMBER HUDSON: Good morning,
26 Chris. Rusty Hudson, Director of Sustainable
27 Fisheries.

28 My question has to do with the
29 International Trade Permit. And I see the shark
30 fins listed there. I do not see anything for a
31 paper trail. How long before you can get that
32 into place?

33 DR. ROGERS: Well this rulemaking I
34 have been speaking of is basically just trying
35 to take the existing regulations and automate
36 them. If there are -- well, I shouldn't say
37 that. Because I already said that we are going
38 to use this particular rulemaking to increase
39 the scope of the permit to include those
40 importing the canned and processed tuna
41 products.

42 But if there are additional
43 documentation requirement requirements for
44 particular commodities, that would be up to the
45 individual domestic management programs, to
46 implement that through separate rulemaking. So
47 we have to do it hand-in-hand.

48 As Margo already said with regard to

1 the electronic bluefin, ICCAT is working on a
2 system. Margo has to do a rulemaking to show how
3 the U.S. is going to implement that system.

4 We, in the Office of International
5 Affairs are implementing a rule to require
6 permitting and electronic reporting but we
7 didn't want to change the reporting requirements
8 that exist, only convert them from paper into
9 electronics. So if there is a need for further
10 reporting on particular commodities, that
11 should come through the respective programs.

12 So it is going to be somewhat of a
13 chicken and an egg. We have to be very mindful,
14 as Margo does rulemaking, to perhaps expand the
15 requirements for dealer permits or expand the
16 requirements for reporting on different
17 commodities. We have to show how that fits into
18 the electronic reporting rulemaking.

19 With that said, I guess that HMS
20 needs to proceed with a way to help protect our
21 domestic shark fishery because we know we are
22 sustainable. We know we are naturally attached
23 to the shark coming to the dock. It is the
24 imports. And the imports can take a lot of
25 manifestations between fresh, frozen, dry,
26 canned, et cetera, with shark fin. And it
27 appears that there are certain countries that do
28 not have any kind of protections in place for
29 finning. That seems to be the big concern with
30 the NGOs around the world. And if we can get
31 this done more rapidly, it would make more sense
32 because right now we have such an emotional
33 advocacy going trying to do something about the
34 finning in the world and we are being thrown
35 under the bus and it has affected us for the two
36 years now really destroying our business like we
37 have never been destroyed. So thank you, very
38 much.

39 MR. McCREARY: Thanks, Rusty. I
40 have Bob and Angie.

41 MEMBER HUETER: Thanks. Bob
42 Hueter, Mote Marine Lab. Hey, Chris, good to
43 see you again.

44 Actually my question kind of follows
45 from Rusty's that hopefully in the near future
46 we are going to have this list of certified
47 countries that practice certain practices in
48 shark fishing, including having anti-finning

1 laws and enforcing those laws. And then other
2 countries that do not that we will be able to
3 embargo the import of shark products into this
4 country, and specifically the fins.

5 Then once we have that list, how does
6 this system or any other parts of this process
7 help guard against, in essence, wandering of the
8 fins from an embargoed country to a certified
9 country, and then from that certified country
10 into the U.S.

11 DR. ROGERS: Well a lot of existing
12 authorities for similar type embargoes do have
13 language in the regulations regarding what we
14 call intermediary nations, so that intermediary
15 nations would have to be certified. We do that
16 for dolphin-safe tuna labeling. If a country is
17 subject to an embargo because of their catching
18 practices not being deemed dolphin-safe under
19 U.S. definition, then we look at the import and
20 export records of so-called intermediary
21 nations.

22 And if they have a program to
23 separate and certify, then they can be deemed
24 eligible for entry. If they do not have such a
25 system, then as an intermediary nation, we would
26 borrow them as well.

27 So we would have to take a look at
28 the authorities for such a list of certified
29 nation, whether that would come in under
30 something like the Shark Conservation Act or
31 amendments thereto or through RFMOs or other
32 means of implementing that via regulation, we
33 can take a look at how that has developed and then
34 be mindful of the pathways. And then look at the
35 actual documentation requirements.

36 If a country is subject to an
37 embargo, then again that could be a reference
38 file that we would provide to customs. If the
39 tariff code indicates shark fins and the country
40 of origin indicates Country X, that is on the
41 embargo list, don't release. So we could have
42 some automated checks there as well.

43 MR. McCREARY: Thank you. Angie,
44 did you pass or do you still have a comment? You
45 are going to pass. Okay, thanks.

46 Scott Taylor.

47 MR. TAYLOR: I am just curious.
48 Are each of these individual products that are

1 required to meet the same standards as the U.S.,
2 is it done that way because of individual
3 lobbying? Because particularly with all of the
4 new regs for the PLL fleet, for examples, you
5 know with tuna interactions and the things that
6 are required here of us from HMS, certainly that
7 is not a level playing field for the swordfish
8 that come into the country and I probably could
9 speak to that from quite a few other items. But
10 I just wondered how that actually takes place.

11 Is that something that individual
12 industries have lobbied for for laws against?

13 DR. ROGERS: Well it can take place
14 in several ways. As you know, ICCAT has a
15 swordfish statistical document program. So
16 that would indicate who harvested, where it was
17 harvested, and with what gear. And that
18 provision also has the ability for the U.S. to
19 screen out because of the minimum size
20 requirements to level the playing field with
21 regard to minimum size applied to the U.S. fleet
22 can be applied to imports as well.

23 But in other areas, other than the
24 regional fishery management organizations
25 coming up with a documentation scheme that can
26 be automated through this ITDS project, there
27 are domestic laws, as you are probably familiar
28 with that may lead to embargoes against certain
29 countries or against certain harvesting
30 practices, whether that be under the High Seas
31 Driftnet Moratorium Protection Act where we
32 identify and certify countries in three areas,
33 whether it is engaged in IUU fishing, whether its
34 fleets are engaged in the bycatch of protected
35 living marine resources, or whether it is
36 engaged in shark fishing on the high seas in a
37 manner that is inconsistent with U.S. standards
38 for good shark management.

39 There is other things that can be
40 brought to other statutes. Certification under
41 the Pelly Amendment to the Fisheries Protection
42 Act, the Dolphin Protection Consumer
43 Information Act, we are in International Affairs
44 also working currently on a rulemaking. We were
45 petitioned for some action to prohibit imports
46 of swordfish from Singapore because of the
47 processing in Singapore as an intermediary
48 nation for harvesting nations that do not have

1 the same practices in their pelagic longline
2 fleets, as would be applied to the U.S.
3 standards.

4 We are doing that rulemaking under
5 the Marine Mammal Protection Act to allow us to
6 take a look and make a so-called comparability
7 finding against the nation to level the playing
8 field, look at the standards applied under
9 Marine Mammal Protection Act for U.S. fleets
10 fishing in a certain fishery with a certain gear.
11 If that comparability finding cannot be made,
12 then those products can be subject to an embargo.

13 Well, if they are subject to an
14 embargo, again, we have provided a data set, a
15 list of countries or a list of information
16 requirements to customs so that it can be
17 automated through the ITDS process and take a
18 look and screen those imports.

19 It may be that a country doesn't get
20 a comparability finding and the imports by a
21 pelagic longline fleet are prohibited. But
22 let's say, for example, swordfish taken by a hand
23 line or a buoy gear fishery, it is not subject
24 to that embargo. So then a documentation scheme
25 would have to be set up to demonstrate that this
26 was not taken by a pelagic longline. So the
27 vessel name, perhaps the fleet it was landed,
28 vessel license number.

29 So, there are various statutes that
30 could be brought to bear. As you are probably
31 familiar with, Congress is very interested in
32 leveling the playing field in that regard.
33 There were Magnuson amendments again to the High
34 Seas Driftnet Moratorium Protection Act.

35 The Marine Mammal Protection Act
36 itself has had these provisions on the books for
37 some time. And we are looking at ways to
38 automate the process through this ITDS project
39 in ways that we haven't been able to before to
40 help level that playing field.

41 MR. TAYLOR: Just a quick follow-up
42 question, then. You know you mentioned like the
43 Mammal Protection Act and some things that
44 clearly would be obvious. But the more subtle
45 idiosyncrasies of this may in fact extend to gear
46 type.

47 So with the restrictions that we
48 have on gear type, for example, Central America

1 still using and on the Pacific side it doesn't
2 apply to ICCAT, a J-hook and billfish
3 interactions, and all those other things. That
4 while Magnuson, as I understand does provide for
5 somewhat of a level playing field, it may provide
6 for that in principle but in practice that is
7 certainly not what has been affected.

8 So I guess what I am asking is that
9 as this becomes implemented, is there a
10 mechanism for petition to look at those various
11 different issues. Because our concern really
12 should be for the well-being of the U.S.
13 fishermen. And I think that is what this body
14 is for.

15 MR. McCREARY: Good. Thank you.

16 We have, I think, one or two more
17 comments and then probably we should pivot to our
18 break, Margo.

19 Terri.

20 MEMBER BEIDEMAN: It is nice to see
21 you again, Chris, as well.

22 I am glad that you just brought that
23 up because that is what was sticking in my mind
24 is wow, how to go about that. And generally it
25 is one or the other of these meetings we get an
26 update on where the process is on that because
27 you have had a petition and industry support for
28 prohibiting imports that are caught in a manner
29 we kind of we took a hit in terms of switching
30 gear types, in terms of the percentage of catch.
31 And now we continue to take a hit in the market
32 because there are fish in there competing with
33 our domestic fish that are not subject to the
34 same types of conservation measures.

35 So I know that it has been in process
36 and I was curious. Have you made any further
37 progress on releasing those standards, which I
38 guess is the point? And it is in your
39 department, right? So I am going to ask you.

40 DR. ROGERS: Yes, we have made
41 progress. We are working in an informal
42 interagency clearance process. Normally a
43 rulemaking that has an interest across agencies
44 in the Executive Branch, will have a formal
45 interagency clearance once the rule goes to
46 Office of Management and Budget for final
47 clearance prior to a publication in the federal
48 register.

1 But it is good to find out if there
2 is any showstoppers with another agency before
3 you get to that process at the OMB. It is better
4 to work things out. Because it has significant
5 international trade implications, and as we are
6 talking about leveling the playing field, I
7 guess that goes both ways, not only in terms of
8 the standards applied towards the harvest of
9 these species in the U.S. versus other
10 countries, but also levels of playing field in
11 terms of what is required in trade. We are a
12 member of the World Trade Organization. So, we
13 have to look very carefully. Are we setting up
14 something that sets up an un-level playing field
15 with regard to trade requirements? So
16 consequently, we have had some very lengthy
17 interactions with some of the trade-based
18 agencies, USDR and International Trade
19 Administration on trying to come up with a
20 process for comparability findings that meets
21 the test of our U.S. commitments to a level
22 playing field with regard to trade requirements.

23 So it has taken some time. I know
24 the original petition was received in 2009 or
25 2010. So, it has been some time but it is still
26 in process. And we do anticipate it will be
27 published early next year.

28 MEMBER BEIDEMAN: Okay, well that
29 is at least some sort of date. Let's hope that
30 it sticks and not slides. And recognition that
31 these trade things are an issue.

32 And my only other comment is just
33 when I thought I knew all the acronyms, you come
34 in with a thing that has got 20,000 of them that
35 I never saw before. Thanks.

36 DR. ROGERS: Well Customs has a
37 website for ITDS. It is ITDS.gov. And I
38 believe you can click on a link there which has
39 a page of about, I don't know, several hundred
40 acronyms. Because not only all the customs
41 acronyms but all of the 47 participating
42 government agencies bringing their own acronym.

43 You can go to an ITDS meeting and
44 people can have a sentence that is entirely in
45 acronyms.

46 MR. McCREARY: Okay, very
47 encouraging, Chris, all the way around.

48 (Laughter.)

1 MR. McCREARY: All right, let's
2 take a short break. We have three items to cover
3 after the break before we adjourn today.

4 (Whereupon, at the foregoing matter went off the
5 record at 10:18 a.m. and went back
6 on the record at 10:37 a.m.)

7 MR. McCREARY: All right. Let's
8 refocus here. We have a couple more agenda
9 items to address.

10 And the first of those is the
11 compendium to HMS Management Measures Project.
12 Margo.

13 MS. SCHULZE-HAUGEN: All right.
14 Well I see people may be still coming in. Where
15 did everybody go? So basically, I don't want to
16 say it twice. I was just thinking I would wait
17 for folks who come in.

18 So the compendium is a new idea. We
19 haven't done it. We are still putting the kind
20 of pieces together. But the concept is trying
21 to in one place have kind of the history of HMS
22 management, where if you want to learn about
23 bluefin tuna since bluefin tuna management
24 started, you would have to go through a variety
25 of amendments and rules, and probably SAFE
26 reports to get kind of the full, what was the
27 issue in this action. What was done? Some of
28 the rationale. Because a lot of our documents,
29 the latest phonebook included are integrated
30 with NEPA analyses and regulatory Flex analyses.
31 And they are relevant for the action at the time
32 but once it is done, then the books are full of
33 things that were not implemented, were not
34 selected.

35 And so the piece of like the history
36 of the fishery and what the issues were and what
37 the final measures were, you have to kind of dig
38 through things to find it. And we don't have it
39 all in one place.

40 And so we thought for our own use,
41 as well as potentially others, the public, that
42 pulling together this in a single place, kind of
43 the history into one document could be quite
44 useful.

45 And then the other aspect would be
46 looking at that and seeing of that could be a
47 potential model to revisit and potentially
48 restructure the HMS regulations. I don't know

1 if many of you spent a lot of time in the CFR,
2 but we do. And things are scattered throughout
3 and they aren't always the easiest to find. And
4 there are some good reasons for that: the
5 history of how the regulations were developed,
6 how they were put together, how we structure
7 things, trying to be as simple and say things
8 once so there is lots of cross references and
9 things that maybe aren't always the most
10 intuitive and you need to have a law degree to
11 really, really get to the bottom of things.

12 And so as part of the compendium
13 exercise, that might be a useful model if we come
14 up with something that makes a lot of sense on
15 how to pull it all together in one place. That
16 then could be used to review the structure of the
17 regulations.

18 So it is a dual purpose, sort of
19 exercise. It is something that we would share
20 with you all when we are ready. But at this
21 point, as Jessica is going to go through, kind
22 of how that outline of how we are thinking about
23 it right now and some of the challenges that we
24 have or probably the challenges that you have is
25 how you think about things.

26 Are you a bluefin person? And how
27 do you have just the bluefin information? Then
28 we have multi-species fisheries. Well you want
29 pelagic longline information and you want
30 information on catches of billfish. So do you
31 put that in the billfish section or do you put
32 that in the longline section? And different
33 people come at these issues with different
34 perspectives and think about things
35 differently.

36 So we are trying to come up with
37 something that is kind of readily accessible no
38 matter who you are or what your background is,
39 how you are approaching the issue, so you can
40 find the information you are looking for.

41 So in a nutshell, it is a new thing.
42 We are not sure if it is going to work. It might
43 go down in flames but we thought we would try.
44 And if it is helpful, great. It is something I
45 envisioned would be a living document that we
46 would update as new things were done. And so I
47 think we are looking for feedback on the outline.
48 Is it kind of how logically you would think to

1 put things together? Because this is one of the
2 challenges we have all the time. Every document
3 that we have produced that touches different
4 things, how do we put it together?

5 And then, would it be helpful? And
6 then we will see how it goes.

7 MS. BECK-STIMPERT: Thanks, Margo.
8 That was a good introduction. A lot of
9 information there.

10 My name is Jess Beck-Stimpert. I am
11 currently on my last week of the detail with HMS
12 in the Southeast Region. So I will be -- 12
13 weeks went by really quickly but we tried to do
14 some good work on this. I am actually the
15 aquaculture coordinator down in the southeast.
16 So this is getting back to my roots with HMS
17 because I did do a fellowship in 2008 as a Knauss
18 fellow. So just briefly visiting back with
19 everybody.

20 And as Margo mentioned, this is
21 basically a document where we are going to
22 consolidate the information on the history of
23 HMS, the management measures, and things of that
24 nature. The idea is to have a one-stop shop for
25 this information. Currently, it is very
26 difficult to locate information in a timely and
27 efficient manner. Just in putting together
28 this outline for this compendium, I went through
29 multiple FMPs, reports, amendments, things of
30 that nature, just trying to piece together
31 information to make it the most accurate and up
32 to date.

33 So there is definitely a need for the
34 HMS staff to have something like this so it is
35 easy to grab information as new regulatory
36 actions come up and also for the public to have
37 some sort of context of where some things came
38 from.

39 So basically, I just wanted to
40 answer the question and Bill Gerencer just asked
41 me this. What is the compendium? And this was
42 a term that we can give Megan Walline credit for.
43 She brought it up to us. We were calling it a
44 summary. We were calling it all kinds of
45 different things. And she said well it sounds
46 like the compendium to me.

47 And the definition of a compendium
48 is a brief summary of larger work or of a field

1 of knowledge. And I don't know how brief this
2 actual document is going to be. The outline is
3 four or five pages at this point. I am just
4 trying to break things up in an orderly manner
5 in something that makes sense. But that is
6 basically what we are shooting for here is just
7 take this information to summarize it and make
8 it something that is easily understandable both
9 to ourselves and to the public so that it will
10 be a useful document.

11 So the objective, again, is to
12 create this comprehensive document which
13 outlines the history of Atlantic HMS management
14 measures. It will be combining all the
15 information from or all the relevant information
16 from the various FMPs, amendments, reports, and
17 things of that nature.

18 As Margo mentioned, it will be a
19 living document. So as new regulatory actions
20 come online, it will be updated. So this will
21 be something that will continue to grow and to
22 evolve over time.

23 I just wanted to add a disclaimer
24 here. This document will not be a substitute
25 for the regulations or how to comply with the
26 regulations. We have compliance guides that
27 provide the information on how to comply with
28 those regulations and we also have our separate
29 CFR regulations as well, which we will be looking
30 at some time in the future and reorganizing those
31 into a structure that is more easily
32 understandable.

33 Just to reiterate what this document
34 is not, again, it does not include any new
35 management measures. So the process of having
36 to go through all of the public comment period
37 and things of that nature that you would with an
38 FMP or amendment probably we will have to skip
39 over a lot of those steps but again, getting some
40 information from the advisory panel. Probably
41 we will have some public input at some point on
42 the document but it won't be the formalize
43 process that most folks are used to. Because it
44 is nothing new. It is just basically taking
45 what is already there and summarizing it.

46 It is not a compliance guide. There
47 are already compliance guides that are available
48 for HMS. And one thing it will not contain are

1 certain FMP requirements that tend to take up the
2 bulk of these documents that you see. Most of
3 the documents contain pages and pages of NEPA
4 analyses. We won't need to include those.
5 Those are already done. You can always refer
6 back to the FMPs and amendments prior to that for
7 that information. We will also be taking out
8 a lot of the tables in terms of landings, things
9 of that nature because those things also change
10 over time.

11 Community profiles in some of the
12 economic and social analyses will also not be
13 included in this document.

14 I just wanted to go through the last
15 couple of slides or just giving an idea of what
16 the structure of the document looks like. So we
17 are starting out with an introduction just to
18 give a purpose of why we are doing this, as Margo
19 had mentioned, the various reasons. The
20 history of HMS and also the history in how we go
21 about the management process for HMS, use of the
22 AP, as opposed to councils, things of that
23 nature.

24 There will be a section on status
25 determination criteria, overfished,
26 overfishing, things of things of that nature.
27 And then there will be section on general
28 provisions which basically apply to all of the
29 HMS fisheries, as much as we can pull that
30 information together.

31 We will have a definitions section,
32 information on permits and fees, time and area
33 closures, also various record keeping and
34 reporting requirements. There will be a
35 discussion about ACLs/AMs. The workshops will
36 also be included in that section as well.

37 We will also have a section on
38 compliance monitoring and enforcement
39 provisions and we will be working with our GCL
40 folks on putting that together.

41 We will have separate sections for
42 management measures split up into the various
43 gear types, as well as the species complex. And
44 within the various species complex, too, we are
45 also thinking of splitting those up into
46 commercial for base tunas and then we would have
47 a recreational section for base tunas and so on.

48 There would also be a separate

1 subsection for charter/headboat as well.

2 It would also include chapters on
3 information for dealers, for tournaments, and
4 then those permits for specially authorized
5 activities such as the exempted fishing permits,
6 display permits, shark research permits, and
7 things of that nature.

8 There will be a section on
9 international considerations, restrictions on
10 imports and port inspections, some of that info
11 would be included there.

12 And at the document, we will also
13 have various appendices that can be added over
14 time. One thing that will be included is the
15 list of HMS-managed species.

16 And this is just a brief overview of
17 the structure of the document. As I mentioned,
18 it is about four pages right now. There is all
19 sorts of different subsections and things of
20 that nature. But overall, these are the main
21 chapters that you would likely see in that
22 document. So we are going to look for your
23 feedback on that.

24 And this is a very flexible slide.
25 This is basically the time line and next steps.
26 As I mentioned, I will be passing this on to the
27 HMS staff. I'm not sure that we know who is
28 going to pick it up at this time. So once that
29 happens, they will continue to work on this draft
30 compendium and perhaps present a copy of that
31 draft to you all sometime this spring, or during
32 the next AP meeting to get some additional
33 feedback on that.

34 There would also be a point where we
35 would solicit public input on the draft
36 compendium, whether that is just through people
37 submitting comments or if there is a national
38 call-in, something of that nature, just to get
39 some general feedback from the public.

40 And then sometime in 2014 or 2015,
41 the final compendium would be released. So
42 again, very flexible but this is, in general,
43 what we are looking at at this point.

44 And that is it. Only a couple of
45 slides there. I just wanted to get some
46 feedback from you all on what has been presented
47 here and if you have any additional ideas.

48 MS. SCHULZE-HAUGEN: I just wanted

1 to say one more thing.

2 MR. McCREARY: Sure.

3 MS. SCHULZE-HAUGEN: I just wanted
4 to reiterate what Jessica was saying about time
5 line. This isn't something we have to do. And
6 so the things that we have to do come first. And
7 this is something that we think is a good idea.
8 I think it would be helpful for us. I think it
9 might be useful for you all. And so I think we
10 want to and we will keep chipping away at it.

11 But by all means, this may slip.

12 MR. McCREARY: So a question. You
13 had asked for feedback on the outline. Will
14 this be posted on the website?

15 MS. SCHULZE-HAUGEN: It should be.

16 MR. McCREARY: Okay. And in what
17 time frame would you like feedback on the
18 outline?

19 MS. SCHULZE-HAUGEN: I was thinking
20 now.

21 MR. McCREARY: Now. Like now would
22 be good. Okay.

23 (Laughter.)

24 MS. SCHULZE-HAUGEN: Just initial,
25 and then obviously, you know, our phone number
26 and email information is on there.

27 MR. McCREARY: Okay. Gerri, now
28 would be good.

29 MEMBER LEAPE: Well, I will start to
30 give some feedback now.

31 First of all, thank you for that. I
32 think this could be actually quite a useful
33 document. As you pointed out, it by its nature
34 has to be a living document. Things are always
35 changing.

36 And we have done a few compendiums.
37 And I think some of the things we have tried to
38 do in our compendiums is to look at it so this
39 is a document that should stand on its own,
40 whether you are a person that is on an AP or
41 someone who all of a sudden has this interest and
42 finds it.

43 And so in thinking about it, this may
44 be implied in your outline but you would want to
45 have a very brief history of management. You
46 also want to not make it too big. And so a lot
47 of you want to be able to refer to background
48 documents and send them to a URL somewhere so it

1 doesn't scare people from the outset.

2 So you want a brief history of
3 management, the organizations that are actually
4 responsible for managing it. And you can do
5 that very briefly and I know most of the websites
6 already have those already written. Also a
7 history of the species and how they came into
8 management under these organizations.

9 I also would urge you to consider
10 also making it a forward-looking document. And
11 so in addition to describing what the current
12 situation is in the history that brought us here,
13 upcoming deadlines, everything has reviews
14 coming up. And so to the extent that you can
15 forecast that for people and say in these
16 deadlines especially you can do that with a
17 living document. And so I would suggest that be
18 an element as well.

19 MR. McCREARY: Great. Well, it
20 looks like quite a few people want to give you
21 some feedback. So that's great.

22 Sonja, we will go next to you.

23 MEMBER FORDHAM: Thank you. Sonja
24 Fordham, Shark Advocates International.

25 I think this is a great idea and I
26 am really happy to hear about it. I think that
27 very specifically to this group that it will help
28 some panel members that tend to focus on specific
29 animals to understand the issues of the other
30 species that we work on.

31 And then more generally, I just
32 wanted to point out as you know there seems to
33 be more and more interest in sharks and shark
34 fishing. And unfortunately, with that comes
35 some misunderstanding and misinformation about
36 how shark fishing is regulated. And I regularly
37 think that people don't understand or recognize
38 how comprehensively managed sharks are in the
39 United States and how long they have been
40 managed. For example, shark finning in the
41 Atlantic was not really banned last year or in
42 2008 but in 1993 and that NMFS not only regulates
43 shark fishing but actually monitors the
44 effectiveness of regulations and response,
45 perhaps not as quickly as I would like them to
46 do in some cases but does respond. And I think
47 that is really important as more and more people
48 around the world are interested in shark fishing

1 and actually examples for how to make shark
2 fisheries sustainable.

3 And I have had some similar -- some
4 related discussions just in the run up to this
5 meeting with people in my community who are not
6 really familiar with how things are managed.
7 And I have been trying to send them explanations
8 about hammerheads through the transcripts of the
9 last meeting and the Federal Register Notice
10 that explains how you got to this decision. And
11 I do suspect that maybe they don't read the whole
12 thing. So I think that would be really helpful
13 for that.

14 So I was going to suggest that, at
15 least for the online version, having said what
16 I just said, if you could have hyperlinks when
17 you explain so that people know that the Federal
18 Register Notice goes through all the comments
19 that were received and how the Agency responded.
20 And then also the transcripts to this meeting
21 because I think people go to a lot of trouble to
22 get a written transcript and it really gives you
23 a feeling of the meeting if you read that. But
24 since they are so long, maybe hyperlinks so at
25 least people know that they can delve deeper.

26 And then also for sharks, who are not
27 always under the HMS FMP. So I would request
28 that the shark management history go back to 1993
29 or even before just for context. I think that
30 would be helpful for people.

31 And last, I just wanted to agree with
32 Gerri in terms of the idea of doing what you can
33 to sort of forecast what is coming next and what
34 you have planned or are expecting.

35 Thank you.

36 MR. McCREARY: Thank you, Sonja.

37 Bob.

38 MEMBER HUETER: Thanks. Bob
39 Hueter Mote Marine Lab.

40 Yes, I also concur that I think this
41 is a very good idea. I get asked all the time
42 for information that I am sure will be in this
43 document. And I get asked by the media. I get
44 asked by students. And it will be nice to not
45 have to search through dozens of PDFs and phone
46 books to figure out which document has the right
47 information for those.

48 And myself, when I have been away

1 from the subject for a while and I want to go back
2 and look and refresh myself, it will be nice to
3 have this.

4 My recommendation is, in addition to
5 what everyone else has said, in addition to
6 having a well thought out outline in a vetted
7 outline for the document, even though I am sure
8 it will be electronic and searchable, I would
9 still put some good effort into a very, very good
10 index so that you can look across these subjects
11 because we are dealing with a lot of
12 interconnected subjects.

13 And you can search a document for a
14 key word but that is a pain in the neck. You
15 know, what are you going to search for? You
16 don't necessarily know. So having a very good
17 index that is not just cursory but very, very
18 well done could help find information, help the
19 reader find information quickly. Thanks.

20 MR. McCREARY: Good. We are
21 getting a lot of good suggestions here. Rusty.

22 MEMBER HUDSON: Hi, Jess. Rusty
23 Hudson, Director of Sustainable Fisheries.

24 Slide 3 created comprehensive
25 documents, summarized the history of existing
26 Atlantic HMS. I concur with what Sonja said
27 with regards to separation of shark. That way,
28 when you start looking at the original effort
29 that mid-Atlantic tried to start in '88 and then
30 NMFS picked it up in '89, that four-year process
31 led to the shark FMP that was finally accepted
32 in '93.

33 So in the council level, and you may
34 be able to go in and see some of this at the
35 SEDARs, I can't speak for ICCAT but at the
36 SEDARs, we have these management histories that
37 start early on. And every change that has
38 affected that particular stock, and in this
39 case, stock of sharks, and we have like a couple
40 different stocks there that we could really
41 refer to. We have our coastals. We have our
42 pelagics. We have our prohibiteds. And there
43 are a lot of things there to follow because there
44 are a numerous amount of species, and we are
45 actually incorporating, and have incorporated,
46 when you talk about the deep water shark
47 scenario.

48 So it would be very useful at the

1 SEDAR level for our sharks because we found it
2 useful with our different things, with the
3 groupers, blueline tilefish, et cetera on the
4 council level because it gives the scientist and
5 ability to see when these regulatory changes
6 occurred and especially the analysts because
7 with those inputs, they can't -- sometimes they
8 will make assumptions about stuff and this will
9 help clear the air as far as what did really
10 happen in say '93 and then in '94 for the trip
11 limits. All these things that affect the
12 productivity of the fishery.

13 So what Bob said about indexing is
14 great. Something that I have seen that has been
15 used in some of the stuff from HMS with shark and
16 stuff, you have got management histories that
17 have linkage to federal register notices for
18 final rules. I am not as interested in proposed
19 rules as I always am in final rule. Because
20 that, along with any kind of FEIS et cetera, back
21 to Bob's idea with hyperlinks or their ideas for
22 the hyperlinks that makes it very smooth for
23 people.

24 So I look forward to seeing this
25 evolve. Thank you.

26 MR. McCREARY: Thanks, Rusty.
27 Sonja and Bob's ideas. Yes, Allan Willis

28 MEMBER WILLIS: Allan Willis,
29 Fordham.

30 I, too, think this would be a
31 valuable document, particularly as a very junior
32 member of this panel. But as part of my work,
33 I produce large documents that summarize decades
34 of history of monitoring and regulation and it
35 is not insignificant work. And every one of
36 these suggestions, some of them add significant
37 work.

38 And I would suggest that with
39 Amendment 7, your staff probably has a lot to do
40 and I think this is a great idea but I would
41 prioritize the things that directly affect the
42 fishery way before I would prioritize the
43 document. That is my two cents.

44 MR. McCREARY: Thank you, Allan.
45 Martha.

46 MEMBER BADEMAN: Thanks. Martha
47 Bademan with Florida Fish and Wildlife.

48 Yes, I definitely commend you guys

1 for making this effort. We have kind of done the
2 same thing on the state level with a number of
3 our fisheries and I understand the time that it
4 takes. It takes a lot of time and a lot of effort
5 but at the same time, it is really useful for us.
6 We are in a situation now where a lot of our
7 senior staff have retired or are retiring. And
8 we have lost that institutional knowledge in a
9 lot of cases. And having documents like this,
10 I can't express how helpful they are.

11 So you know as you go through this
12 and do the history, if you have senior members
13 of your staff that have been around since the
14 beginning, definitely get their input because
15 they can normally -- some of them can pick up on
16 the real story and kind of explain some of the
17 details that get lost in some of these documents
18 sometimes.

19 I agree with a lot of what has been
20 said. One thing that Rusty said with the SEDAR
21 when they have their management histories, one
22 thing they do, and I realize how challenging this
23 is, is they also not only look at the federal
24 regulation changes, but the state ones as well.
25 A lot of cases, at least with some of the
26 snapper/grouper species, Florida had
27 regulations before the councils did or they were
28 slightly different now and again. And
29 sometimes those changes are helpful for the
30 analysts that are looking at these things.

31 If you go down the road of
32 forecasting things in the future, you might want
33 to have some kind of or touch on research needs
34 and continuing challenges in the fishery. And
35 maybe a comprehensive list of objectives and
36 goals for these fisheries somewhere in the
37 document might be helpful.

38 Thank you.

39 MR. McCREARY: Ellen Peel had her
40 card up. Maybe she took off. Allan, do you
41 know? She is gone. Okay, thank you.

42 Pam?

43 MEMBER BAKER: Thank you. I don't
44 have a lot new to add. But I think what we are
45 hearing is that there are a number of different
46 audiences. And I think kind of defining those,
47 you know HMS panel members ourselves, even if we
48 know a particular fishery we don't necessarily

1 know them all.

2 And Sonja gave a good example, which
3 I will echo. When you have members of the public
4 or organizations that don't generally deal in
5 fisheries engaging elected officials and others
6 in fishery management issues without an easy
7 place for us to send them to really get an idea
8 of what is in place and what is not. And the
9 shark example is a perfect one.

10 And then again, just to echo keeping
11 it short but having the links seems really
12 critical. That's it.

13 MR. McCREARY: Thank you, Pam.
14 Terri.

15 MEMBER BEIDEMAN: I also think it is
16 a great idea. I do think that it might be a
17 formidable task. But I look forward to seeing
18 it and recognition that you have other
19 priorities that are more time sensitive than
20 this.

21 But I would echo a lot of the
22 comments that other folks have said and in
23 particular, the issue of institutional memory.
24 Some of these species were managed prior to FMPs
25 in a different manner. Not all of us were there.
26 And some of us that are here won't be here later.

27 And our objectives have changed over
28 time. The way that we fish has changed. So I
29 think it is important to kind of track those.
30 And I think it also gives an opportunity to see
31 things that may have slipped through the cracks
32 with the multiple layers of things. And it
33 would be great to have like one area where you
34 can say I can go and find those documents or links
35 to those documents, instead of hunting all over
36 my computers for them because I've got quite a
37 few.

38 So I think it is a great idea. I
39 hope that there is time and budget for it.
40 Thanks.

41 MR. McCREARY: Thank you, Terri.
42 Dewey? Pass. Rom?

43 MEMBER WHITAKER: Yes. I think it
44 is an excellent idea. And I also understand the
45 time constraints. But you don't know how many
46 times I get asked about charter industry or even
47 recreational or just fishermen in general. You
48 know, and I am using the bluefin just for

1 example. Why are we shut down? Why can't you
2 go up there and just get more pounds or more
3 tonnage? What is the problem? You know rather
4 than going into a long drawn out conversation,
5 what I am asking you all to do is when you put
6 it together, keep it very, very simple to where
7 a fisherman -- I mean a lot of us are just
8 learning how to turn a computer on.

9 So keep it very simple where they can
10 go to HMS, the compendium, bluefin tuna,
11 yellowfin tuna, white marlin. Just try to keep
12 it as simple as you can and, I guess, put the
13 means they were talking about to delve in as deep
14 as you want. And if you want to go back to the
15 beginning of the management, fine. But keep it
16 very simple.

17 Thank you.

18 MR. McCREARY: Thank you, Rom.

19 Rick.

20 MEMBER WEBER: There is a lot of
21 different views of what you are creating. What
22 I thought I heard you trying to create was when
23 someone floats out an idea, a single source that
24 you could go to that would pull together ATCA,
25 Magnuson, and FMP, those type things so that if
26 you wanted to see everything that was currently
27 related to bluefin or bluefin and PLL, that you
28 would see all the references to those species,
29 gear types.

30 It feels like some type of
31 electronic document. I don't see it in paper so
32 much as I see it electronic.

33 And despite the good work, I think
34 what I would like to see your categories is
35 figure out what crosses all of those things.
36 You know, I just made some quick ones here which
37 was permitting, gear, allocations. No doubt
38 there are others. So that if I went to this
39 electronic source and put in tournaments, white
40 marlin, it would grab the tag. Anything that
41 was tagged tournaments and white marlin and I
42 could filter down to that far. If I was just
43 interested in white marlin, I would leave out --
44 I would set that one to all and I would just look
45 at everything that touched on white marlin. But
46 that is still another view of this thing.
47 Sorry.

48 MS. SCHULZE-HAUGEN: No, I mean so

1 this is a little bit unusual, I think, for us
2 because you know by the time we share things with
3 you they are fairly well formed for good or not.
4 So this is something that Jess was on detail. We
5 talked early about should we just how to do the
6 A7, a football team or what, and thought we have
7 an opportunity where she knows us. She kind of
8 worked in HMS for a while to put some energy to
9 something that we haven't been able to get to
10 some time. Because we have been kicking around
11 this idea for a long time.

12 And so that is part of the reason why
13 we did this with Jess in particular. And this
14 is kind of a point in time where we wanted to
15 share that with you, get some initial feedback.

16 I totally hear you that electronic
17 versus paper opens up a variety of different ways
18 that we could do things differently. And so it
19 is very early. This is, again, not something we
20 have to do. So in that sense, in some ways it
21 is kind of nice. It is something we can make
22 what we want. You know there is no NEPA, no red
23 flags. This is what we want it to be. And our
24 hope is that it is not just for us. And so that
25 is why we are looking for the input, something
26 that would be useful for you all, too. So I
27 guess it is a great idea.

28 MR. McCREARY: Thank you. And it
29 is also unusual for you in that every single
30 person around the table said this is a good idea.
31 And then they all had slightly different
32 elaborations on how to make it an even better
33 idea.

34 Steve?

35 MEMBER JAMES: I guess basically
36 elaborating on that point specifically, I think
37 all of us have a different view of what we are
38 talking about here because it is not necessarily
39 defined real hard. And maybe what Dr. Graves
40 would be looking for out of this document versus
41 what a sixth grade student might be looking for
42 out of this document has quite a bit of
43 variation.

44 But what I am hearing is that we are
45 building the Encyclopedia Britannica. And how
46 you quantify this and build it into, as Robert
47 was pointing out, was the fact that you need some
48 way to search through this document to get to the

1 core of the information. Because I heard
2 everyone has got a different of what this
3 document is, which everyone thinks is a great
4 idea. But I think if you ask us to go around the
5 room and define it specifically, you would have
6 31 different explanations of what this document
7 really is.

8 MR. McCREARY: But lots of good
9 ideas today. Thank you, Steve.

10 Margo, Jess, any other feedback you
11 are looking for? This is a lot of feedback in
12 real-time. And again, this will be on the
13 website, right, this presentation.

14 MS. SCHULZE-HAUGEN: Yes.

15 MR. McCREARY: Okay, great. So
16 Jess, thank you very much. Good work.

17 At this point, we want to ask if
18 there are members of the public who would like
19 to address the panel. Jeff has already vacated
20 his seat.

21 (Laughter.)

22 MR. McCREARY: You guys all know
23 your roles. Don.

24 MR. BRADDICK: Yes, does my comment
25 have to pertain strictly to today's agenda?

26 MR. McCREARY: No, it is not
27 essential.

28 MR. BRADDICK: Okay. I am just
29 trying to absorb everything that just
30 transpired. And I will have to back up a little
31 bit. Let's call it the report card or the gold
32 star system, as far as the longliners go.

33 I am a little confused because a
34 vessel that got a gold star is allowed to fish
35 in the hot zone areas, which is not really an
36 advantage. It would hurt you more than help you
37 if you went in and had a bad catch.

38 A vessel with a bad report card, the
39 way I understand it, can switch and use a
40 different gear type and take advantage of the
41 situation.

42 So, I don't know if that is a fair
43 playing ground because it would maybe make a
44 vessel with a good report card strive for a bad
45 report card. And for the first time, I got a
46 good report card and I don't think it is an
47 advantage for me.

48 So I think that should be thought

1 about a little bit because I would like to be able
2 to utilize the fisheries to my advantage and it
3 seems like it is a stumbling point being that I
4 live and exist just inside of these hot zones and
5 don't have a vessel that can travel in great
6 depth that time of the year to say go east of the
7 Bahamas or whatnot.

8 So I hope that is a point and I made
9 it understandable for you. Maybe it should be
10 thought about a little bit. Okay?

11 All right, thanks.

12 MR. McCREARY: Thank you very much.
13 Go ahead, introduce yourself.

14 MR. HUTH: All right. My name is
15 Matt Huth. I am from North Carolina. I am a
16 longline fisherman. I have just gotten into
17 coming to these meetings and it has been
18 interesting.

19 Anyway, I am proud to say that I feel
20 like we are narrowed down to a small group of
21 participants in the longline industry and I feel
22 most all the guys I know, particularly up around
23 my area and north toward New York, we fish
24 responsibly. And I am proud of that. And we
25 put a lot of quality fish on the dock for
26 consumers in the United States.

27 And I wanted to talk about that VMS.
28 I agree with that, that the new hail-out, that
29 would be helpful because a lot of times we don't
30 get down to the boat. And it would be helpful
31 to not have to hail-out two hours prior to when
32 we leave. So I am for that.

33 But the 24-hour monitoring on the
34 boats all the time, even when you are at the dock,
35 we can live with that. I mean I could
36 potentially see problems on one of my boats. In
37 the wintertime sometimes we will lay to the dock
38 for 15 or 20 days due to the weather. You know,
39 there could be a potential problem if the power
40 goes out or whatever that the cost involved to
41 keep batteries up. I have had that problem one
42 time. It is a potential problem for some of the
43 guys. I don't know.

44 The SkyMate VMS, you have heard the
45 complaints with that. I, too, have had
46 complaints. That thing has cost me a lot of
47 money. I have had to lay to the dock. They said
48 the problem was with me. The problem was not

1 with me. It was with them.

2 I have talked with people at
3 SkyMate. Matt has been at the VMS, the
4 enforcement has been great. I have talked with
5 him on the phone and let he couldn't let me go
6 fishing because my VMS didn't work. That cost
7 me major bucks. And we finally got it figured
8 out and it was SkyMate's end but there is no
9 accountability.

10 We are responsible for everything we
11 do. And there is no accountability fort them.
12 If your enforcement guys went in their office and
13 said hey, here is a \$5,000 fine and you all got
14 to stay out of business for six months, they
15 would get something fixed about it. I don't
16 think they can get anything fixed about it.
17 Like Scott said, I think it is going to cost them
18 too much money to fix it. I think there is --

19 But anyway, so that being said, as
20 we are getting into this Amendment 7, we are
21 going to be using those VMS more and either we
22 need to tell SkyMate to fix their problem or we
23 need to do away with SkyMate.

24 And then, therefore, that makes me
25 nervous about these cameras. I mean I am
26 telling you, you guys don't realize the stress
27 that goes into -- we are constantly -- to get an
28 email out, I have got to restart the computer
29 every time. It is just we are worried about the
30 VMS. We are steering around bluefins.

31 Some of the stuff is out of control.
32 Like I say we are responsible for everything we
33 do but now we are responsible for things that out
34 of our control. We do an excellent job of
35 steering away from sharks, bluefins, and we are
36 in contact with a lot of charter guys and
37 draggers and different people in the industry to
38 help us do that. And do a dang good job of doing
39 it. I am telling you there are more sharks in
40 that ocean than you can shake a stick at. It
41 would be like step out of the hotel and say don't
42 step on the pavement. Okay? I'm serious.

43 And I mean if there is a problem with
44 the duskies, maybe the spinners and the sandbars
45 are eating them all. I don't know. But I got
46 an eight-year-old son and if he goes --
47 especially this time of year I don't want him in
48 the water at sundown or in the morning. That is

1 how serious this shark thing is. And it just
2 burns me up here that there is a problem with the
3 stock.

4 But that being said, I appreciate
5 it. We have had some dialogue with the guys with
6 the HMS and that has been helpful. And I do
7 appreciate that. And I think as we move
8 forward, it has been nice to be in conversation
9 with you guys. And I think National Marine
10 Fisheries, you guys ought to hold your head up
11 high. I'm serious. I mean the fish stocks in
12 the United States are great. There are fish in
13 the ocean -- they are having some of the best
14 white marlin fishing there has ever been, world
15 class white marlin fishing right now. And it
16 has been that way for three weeks right out in
17 front of my house.

18 I mean, you guys you know every time
19 we come to a meeting it is always bad news and
20 more regulation. And you know you have got to
21 narrow it down to just enough for the
22 infrastructure to stay alive. Can we just
23 remain status quo for a while and just let this
24 thing sort out? I think you guys are doing a
25 good job. Let's just chill out.

26 If I thought I was depleting the
27 world's stock of fish, then I would quit
28 tomorrow. I would like to think I was that good
29 of a fisherman. But anyway, I appreciate it.

30 MR. McCREARY: Thanks, Matt.

31 Any other speakers? Go ahead.

32 MR. McINTYRE: Bill McIntyre,
33 fishing vessel Shady Lady. I would like to
34 direct this question to Jeff over here.

35 Has anybody taken him up on his offer
36 yet to go swimming around his boat? Anybody? I
37 didn't think so.

38 I know I always hear of the best
39 available science. I don't think any of these
40 esteemed scientists here would want to put their
41 name on any of the shark information that is
42 coming out. We need some more information.
43 The fishermen are here telling you the fish are
44 here. You need to listen. If this Amendment 5
45 goes through the way it is now, Amendment 7 is
46 not going to matter. We will be devastated.
47 Okay?

48 That said, they were talking about

1 education with the shark fisheries and all the
2 rest. I have a directed permit for sharks and
3 I have never been trained to identify the sharks.
4 The dealers are, I believe, but personally I
5 can't tell most sharks from other sharks.
6 Consequently, I won't even bring in a shark when
7 the shark season is on because I don't know if
8 I am bringing in something legal or illegal. I
9 would recommend that not only the dealers be
10 trained every couple of years but let the
11 fishermen in there. A lot of us don't know what
12 we are looking at in the water.

13 Number two, I have got a specific
14 question for somebody up there in regards to
15 Amendment 7. In particular in regard to NED
16 zone. I am just giving you a "what if" scenario.

17 Say a boat is out of their individual
18 boat quota. Can they then go up and fish this
19 NED zone with the 25 tons that are up there
20 without any quota? That is the question I have
21 got to put forward to somebody there.

22 MS. SCHULZE-HAUGEN: Yes, so we
23 have gotten some question on this. As proposed,
24 vessels need an IBQ allocation to fish at all.

25 MR. McINTYRE: Okay.

26 MS. SCHULZE-HAUGEN: In the
27 analysis of quota for the category, the NED
28 25-metric tons was not included. So the
29 proposed quota of 137, that does not include the
30 NED. And that is a separate set aside.

31 MR. McINTYRE: Okay.

32 MS. SCHULZE-HAUGEN: So does that

33 --

34 MR. McINTYRE: Yes, thank you. I
35 have got another question here I want to pose to
36 everybody.

37 Would anybody here believe that I
38 did not have a gray hair on my head until I
39 purchased a SkyMate? In reference to what Scott
40 was talking about, it does not work any better
41 up in the northeast. And I just hope that
42 National Marine Fishery Service learns from
43 their mistakes on this thing because I see a
44 potential disaster with the cameras coming up if
45 we can't even get the VMS working properly.

46 And in closing, I would like to thank
47 everybody here for listening to some old burned
48 out fishermen and not only listening, but taking

1 some of their suggestions and trying to
2 implement them.

3 Thank you very much.

4 MR. McCREARY: Thank you very much.
5 Marty.

6 MR. SCANLON: Yes, Marty Scanlon.
7 Fishing vessel Provider II. I just want to
8 comment on these monitoring systems that are
9 coming down the road here.

10 One of the things I would like to
11 talk about is that we live in a post-9/11 era here
12 and it seems that as technology grows and grows
13 here, we seem to be more and more willing to give
14 up our freedom of privacy and some of our civil
15 rights. I mean if we haven't learned anything
16 with what is going on with the NSA right now, I
17 mean to be encouraging to have more and more
18 spying on us, I believe as far as that is
19 concerned, I am against these monitoring systems
20 on these boats. I want to be on the record for
21 that. I believe it is a violation of our civil
22 rights.

23 And also in order to just put them
24 on to pelagic longline fleet, I believe is an
25 issue of profiling. In Trenton, New Jersey
26 there, there was just a Supreme Court ruling, I
27 believe, in which even though there was a group
28 of blacks or Hispanics that were running around
29 in the middle of the night robbing convenience
30 stores and the Trenton police had gone out and
31 were basically pulling over all blacks or
32 Hispanics that were driving around at that time
33 of the night, it was ruled that there had to be
34 an equal number of whites pulled over and
35 basically harassed. That they were violating
36 these people's civil rights, even though it
37 would be just common sense that you would be
38 doing what they were doing.

39 Here if you are going to put cameras
40 on us, I believe you need to put cameras on
41 everybody. And it may even be to a point where
42 you need to put the monitors on the monitors. I
43 mean that would be like asking us to go into your
44 inner meetings, whether it be Pew or Oceana or
45 any of the other environmentalists that are
46 pushing these agendas, and overlook their
47 agendas and make sure their agendas are up and
48 forward.

1 I mean we are being regulated by our
2 logbook data that we have cooperated with, our
3 observer coverage that has been extrapolated.
4 And that is where you have gotten these numbers.
5 And you want to regulate us against those
6 numbers. Well, if those numbers are good enough
7 to regulate us against us, then why aren't those
8 methods good enough to come up with the solution?
9 Why do we have to give up more of our civil
10 rights? Why do we have to be spied upon? And how
11 far does it have to go?

12 I think that in saying that, I also,
13 if it goes to that measure, I think we do, like
14 a lot of people in this room have said, we need
15 to slow down here. It is obvious that we have
16 problems with the VMS machines which seem to be
17 pretty simple units. And we can't seem to be
18 even able to get them operating properly. They
19 are already being threatened with sanctions,
20 like Scott has said. Now you are going to
21 complicate the matter by now instituting a whole
22 other monitoring system on these vessels that is
23 unproven. National Fishery says they have got
24 no money for research, they have got no money for
25 this, they have got no money for that. Where are
26 they going to get the money to get these
27 monitoring systems, these cameras up and running
28 properly?

29 If we do have to go to a monitoring
30 system and if it is ruled that we do, I believe
31 that everyone in the HMS fishery needs to
32 be monitored, you know for the benefit of stock
33 assessments and whatever.

34 I also would think that in
35 implementing that program by slowing down, I
36 mean that we should actually set up before we
37 institute a full wide into the fleet, that you
38 need to sort of start off with a sort of a pilot
39 program, where you are going to implement these
40 measures into a handful of boats. You know, get
41 the system operational, find out how it should
42 work, if it will work. Get the infrastructure
43 in NMFS itself to do the monitoring, set that all
44 up before we go and throw out all these cameras
45 on all these boats. I mean I think it should be
46 limited to one camera per boat. I mean, how many
47 cameras are we going to have? Are we going to
48 have them in the bathroom? Are we going to have

1 them where we are dressing? I mean my boat is
2 a pretty small boat. I mean I don't know whether
3 you want to be seeing me taking a shower. I have
4 to take one on the back deck with a couple of
5 gallons of fresh water.

6 So I mean, I think it should be
7 limited to one camera and it should be in a pilot
8 program where you put it on a handful of boats
9 and get it up and running for a year, decide how
10 we are going to extrapolate that data and how it
11 is going to be applied, and then possibly move
12 forward from there.

13 Like I said, I think it is a pretty
14 serious issue here. I think as Americans, we
15 all have got to sit around here and look at each
16 other and say how much more freedom and how much
17 more privacy are we willing to get up? I mean
18 ICCAT may want this but all those nations in
19 ICCAT don't live under the same freedoms that we
20 live with in this country. One of the reasons
21 why I live in this country is because it is a free
22 country. I mean I don't want to give up any more
23 rights.

24 I mean you go down the road here now
25 and you have got camera lights all over the
26 place. Everywhere you go there are cameras
27 watching us. Who is watching us and what are
28 they doing with that data? What is going on
29 here?

30 You know when I was a student, way
31 back when when I was in high school, one of the
32 required readings was a book called 1984. I
33 don't know if anybody is familiar with that book.
34 I can't remember the author at this time but it
35 pertained to Big Brother and it dealt with all
36 of these issues where you were constantly under
37 surveillance 24/7. Everything you did,
38 everything you said, everywhere you went, you
39 were being watched by Big Brother. And there
40 was no more libraries. There was no more books.
41 Everything was censored. Is that the road we
42 want to continue to go down or do we want to try
43 to hold on to some basis of humanity here? Or
44 are we all just going to turn it over to cameras,
45 surveillance, and allow us to be spied upon?

46 MR. McCREARY: Okay, Marty I think
47 your point is graphic and well expressed.

48 You made a good point as well about

1 possibly monitoring being phased in on a pilot
2 basis to make sure it works. So you have
3 provided some good ideas here.

4 Any other key thoughts?

5 MR. SCANLON: No, that is pretty
6 much it. I can make the rest of my comments at
7 a public comment period, I believe.

8 I do want to thank everybody for
9 giving me the opportunity and to just to go to
10 show how this country does operate, to have the
11 freedom to come here and to speak in front of all
12 you people and have the opportunity to express
13 my concerns and some of my ambitions.

14 So I do want to thank everybody for
15 putting up with me here these few days here. And
16 I certainly do appreciate anybody's help in this
17 matter.

18 I want to also thank you, Margo, and
19 your entire team there. Because we have a bunch
20 of these serious issues that we have been dealing
21 with throughout the year and it is very obvious
22 to us in the fishery that you have listened to
23 a lot of our concerns and you have tried to
24 address them and you are willing to work with us
25 in these matters. And I just hope that
26 everybody else around here can go back to their
27 organizations and express that we are serious
28 about reducing our interactions with animals
29 that we don't want to interact with.

30 And there are solutions and we do
31 have the solutions. And if you give us the
32 opportunity to deal with these issues on our
33 grounds, since we -- you know guys are all
34 experts in your own fields. But when it comes
35 to the pelagic longlining, you probably are
36 looking at the handful of guys here who are the
37 experts in the pelagic longline field and we are
38 the leading people when it comes to conservation
39 in that particular fishery. We are the ones
40 that are leading in conservation. We are the
41 ones that are working on cleaning up the gear.

42 And if we can clean up our gear and
43 develop a model, which was always the intent of
44 National Marine Fisheries in dealing with us and
45 dealing with all these regulations, if we can
46 develop a model that we can sell to the rest of
47 the world where they fish under the same
48 regulations and can show that they can be

1 financially stable by doing so, I think that
2 overall is the key to the success of the HMS
3 fisheries throughout the world, not just in this
4 country.

5 I want to thank you.

6 MR. McCREARY: Thank you, Marty.

7 Are there other speakers who want to
8 address the panel? You are not a public member,
9 but go ahead.

10 MEMBER HEMILRIGHT: Well, before
11 the day is out, I wanted to address everybody.

12 MR. McCREARY: Yes, we are not
13 adjourned yet, so ago ahead.

14 MEMBER HEMILRIGHT: This Amendment
15 7 is a massive undertaking of worldwide
16 proportion. You are sitting in a place where
17 you are going to have a group of pelagic longline
18 fishermen that have fished under an incidental
19 fishing for bluefin tuna and you are going to try
20 to put in an individual fishing quota that is
21 basically unheard of.

22 For this to work, we have to have a
23 level of cooperation from the person that speaks
24 at ICCAT, the very top down to the level of the
25 fishermen. We have to have time. We have to
26 have flexibility. And we have to have quota to
27 fix and work on this problem that is going to set
28 precedence throughout the rest of the world.

29 If we do not have that level of
30 cooperation from the very tip top of the
31 delegation at ICCAT to the very bottom of the
32 fishermen, this isn't going to work. And some
33 things that give me heartburn in looking at this
34 in the future is we have never had, and this is
35 my perspective, the good-faith effort of our
36 ICCAT delegation at the very tip top when it
37 comes to negotiating to get the United States
38 more quota. We have watched our country want to
39 list something on CITES that we killed basically
40 our general category tuna as far as economics.

41 So if this doesn't have everybody on
42 the same page -- right now you have the
43 cooperation ongoing and will have from the
44 pelagic longline industry because we tend to
45 believe, and I hope I am right, that we have got
46 the good faith of everybody here together to work
47 to fix this problem.

48 It appears that we have it at the HMS

1 division level and through our discussions with
2 staff and looking at this to fix the problem.
3 But there are so many times we have these
4 discussions with staff that they are only able
5 to do so much. If staff had their way with our
6 discussions, we could probably fix things a heck
7 of a lot more up the ladder. But once we get up
8 that ladder, you are asking the U.S. not only the
9 credibility of the U.S. commercial pelagic
10 longline fleet to be put on the table here,
11 because if this fails, it is going to fail for
12 the rest of the world.

13 In closing, if it is not everybody
14 on the same page from top to bottom, it is pretty
15 damn useless.

16 So we will see going forward because
17 this is something -- we are talking to about
18 Marty doing fishing, it is going to take some
19 real innovations and some figuring out because
20 it is just not like you can put a --

21 Well that is enough said. But I
22 appreciate your comments. You are able to give
23 the comments. This is a monumental task that is
24 going to happen and it is not going to happen over
25 a year or two.

26 MR. McCREARY: Thanks, Dewey. And
27 as you say, this will require a massive level of
28 coordination.

29 So Margo, at this point, I think we
30 are ready to pivot to your wrap-up of HMS
31 Advisory Panel priorities and next steps.

32 MS. SCHULZE-HAUGEN: All right.
33 So, I am seeing this for the first time, too.

34 So my usual caveats. This is
35 intended to be a high-level summary of what we
36 have heard. Not every point from the last three
37 and a half days will be here. If there is a major
38 point that is missing, something that you think
39 is really important that we missed, if we didn't
40 quite capture something adequately or
41 correctly, please let us know. But the
42 transcripts of the meeting are the record. So
43 I am not trying to relive the last three and a
44 half days.

45 But with that, all right, eDealer.
46 In terms of our workload, this continues to be
47 a big one but I think it is a very valuable one
48 and it will mean that we are much better able to

1 stay within our quotas, all of them, even the
2 little ones. And so that is a big deal. And
3 that will feed into stock assessments and having
4 catch levels where they should be. It helps the
5 stocks and helps rebuilding and sustainable
6 fisheries. So I think it is a big deal and it
7 is certainly one that we have put a lot of effort
8 into. And we will talk more about how that data
9 is feeding into the assessments as a comment that
10 we heard from you all.

11 On Amendment 8, this one is final but
12 the implementation is coming with the 2014.
13 Comments that zero-fish retention limit in South
14 Florida is counter to the purpose. This is the
15 primary area where landings occur. But
16 fishermen in the northeast and Gulf need a
17 retention limit of more than three. And monitor
18 the trajectory of swordfish landings because
19 they are increasing under existing regs. We
20 don't want to exceed the quota. Absolutely, we
21 will do that.

22 All right, Amendment 7. General
23 support for overall direction but significant
24 concerns: scope, details. Lots of devil in
25 the details kinds of comments. And the
26 questions on timing.

27 On the IBQ, concerns about the
28 ability of vessels to make it work. This is the
29 flexibility comment, needing quota, wanting to
30 avoid closures. It is certainly complex.
31 Implementation will take time.

32 And the initial allocations. For
33 this one, several points, particularly with
34 folks seeing IBQ or ITQ programs in other
35 fisheries that those initial allocations are
36 key. What about new entrants? We had a
37 suggestion of equal shares as a possibility.

38 Concerns about leasing,
39 particularly between longline and purse seine,
40 some of the implications of that.

41 Comments that carryover should be
42 allowed or there could be incentive to use it.

43 Methods to increase interactions
44 with bluefin exist -- to decrease. Sorry.

45 And then concern about kind of the
46 disaster sets. People don't always know where
47 fish are.

48 On the GRA, Gear Restricted Areas,

1 comments to expand the scope of the Gulf of
2 Mexico GRA. Also suggestions to have sunset so
3 we can look at things. And concerns about drift
4 in relation to the Cape Hatteras. I think that
5 is something we looked at and I think that is
6 something that we have continued to talk about
7 here.

8 And then a desire to have hard
9 thresholds or limits for access to the current
10 closed areas.

11 On quota reallocation, some support
12 for using inactive purse seine quota instead of
13 reallocation from other categories.
14 Acknowledgment reallocation may be necessary
15 but divergence views on how best to do it.

16 A concern that purse seine fishing
17 would increase just to use their quota, kind of
18 get on the board.

19 And then support for additional
20 flexibility and criteria for in-season
21 management.

22 Other measures, mixed views on
23 general category in-season flexibility. So
24 kind of a consistent comment to look at that
25 December allocation to January. Maybe move it
26 or combine. Non-longline categories should
27 also count for dead discards. And also other
28 categories should have electronic monitoring is
29 the other comments.

30 So a lot, just to back up, certainly
31 a lot on Amendment 7. I think we got a bit back
32 what I think you all felt were hit with a ton of
33 stuff, a lot to go through. And I know my mind
34 was spinning at the end of the day on Tuesday
35 where we were getting all of your feedback and
36 questions, too. So we are early in process. We
37 still have a lot of the public hearings to go.
38 Hopefully we will be seeing many of you all
39 there.

40 So keep coming with them, with the
41 questions, with the comments. And we have
42 certainly got our work cut out for us.

43 All right, 5a and 5b. Lots of, I
44 think, support for increased outreach on dusky
45 shark ID, getting that out online social media.
46 I think all of the expertise that you all have
47 on reaching your folks is helpful for us. The
48 questions about getting information to people

1 the way they get their information. That is
2 helpful information to share with us if you know
3 that; if it is emails, websites, newsletters,
4 whatever.

5 Questions on ESA listing of duskies,
6 how that would affect management. Lots of
7 concerns on stock assessment, the range of the
8 species, and need for more survey data. No!
9 Okay.

10 Continue moving forward with A5b.
11 And then consider the timing. I think we had a
12 comment to think about maybe linking them up,
13 that some of the issues in A5 and A6 there is some
14 overlap.

15 Amendment 6, update the control
16 date. Eliminate the blacknose linkage from
17 small coastals. Increase the Gulf of Mexico
18 blacktips. Allow commercial landing of
19 sandbar, kind of a tagging idea.

20 Consider permit stacking and then
21 mixed views on ITQs or catch shares. That is
22 unchanged. We have had those mixed views all
23 along.

24 For the recreational action agenda,
25 support for collection of socioeconomic data.
26 Both the Gulf of Mexico Southeast mentioned.
27 More outreach and education for anglers. And
28 the analysis of the effects of regulations over
29 time. Those are all good suggestions.

30 For billfish management, more
31 funding for research. I would actually couch
32 this as an overall statement but it did come up
33 specifically for billfish.

34 Fishermen are having better catches
35 of white and blue marlin.

36 Education and enforcement of
37 release regulations are needed. Yes, this one
38 it was interesting to hear the discussion of
39 release, how to do that. I think that is
40 something that we can develop more materials on.

41 Don't ignore benefits that billfish
42 got from existing longline prime area closures.
43 Keep an eye on those dolphin, apparently, eating
44 juvenile billfish.

45 And be cognizant of recent changes
46 in billfish catch on PLL fishing for tunas.
47 Okay.

48 VMS. Oh, good grief. No pictures.

1 This was weird. Wasn't it? This was Diane. I
2 saw you do this yesterday.

3 For those of you -- I am incredibly
4 like photophobic. So the fact that she got me
5 in a picture is quite an achievement.

6 VMS proposed rule, concerns over
7 increased costs with 24/7 reporting. Support
8 for the exemptions, turning the units off, and
9 changes to the hail-in/hail-out. Lots of
10 concerns on VMS units, particular SkyMates and
11 that we need to get a handle on the technology.

12 One thing here, you will see contact
13 info for Kelly Spalding. Kelly Spalding is the
14 National VMS Coordinator.

15 So we will post this so you don't
16 have to write it all down if you are interested.
17 But we will certainly go back and continue the
18 pressure that we are putting on to resolve these
19 issues. But then that is another avenue for you
20 all to share your concerns.

21 The VMS comment period closes
22 September 30th. We have a webinar on the 23rd,
23 which also is the day the shark specs comment
24 period closes.

25 If you could -- and this is a special
26 note, travel forms. If we can get vouchers in
27 quickly, we can use more of our FY13 money. If
28 we don't, that will hit our '14 budget.

29 So, as we are looking forward to
30 public hearings, maybe some more public
31 hearings, all the things we want to do, the more
32 that we can spend of the money we have, the better
33 off. And so you can really help us. We tried
34 to include envelopes this time to facilitate
35 that. But the quicker you get those in, the
36 better off we will be budget-wise.

37 We like to reuse the name tags and
38 table tents. So if you could leave them, that
39 would be great.

40 The evaluation form we have adjusted
41 a little bit. We always look at these. It is
42 always helpful to us. You don't have to sign it
43 if you don't want to. We will look at it all.

44 And I want to take a special moment
45 to thank the HMS staff that not only help us put
46 this meeting on but have been doing a tremendous
47 amount of work over the last many, many months
48 to get us to this point on all of these issues.

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So, thank you, everyone.

(Applause.)

MS. SCHULZE-HAUGEN: And thank you all for all of your input. I think it was a very productive meeting. We got a lot of really good comments, a lot of good issues raised. And I look forward to seeing you all soon on the road and then at various meetings, ICCAT, IAC.

So safe travels going home. Thank you all very much.

(Whereupon, at 11:47 a.m., the foregoing meeting was concluded.)

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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
Advisory Panel Meeting

Before: NMFS

Date: 09-12-13

Place: Silver Spring, MD

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